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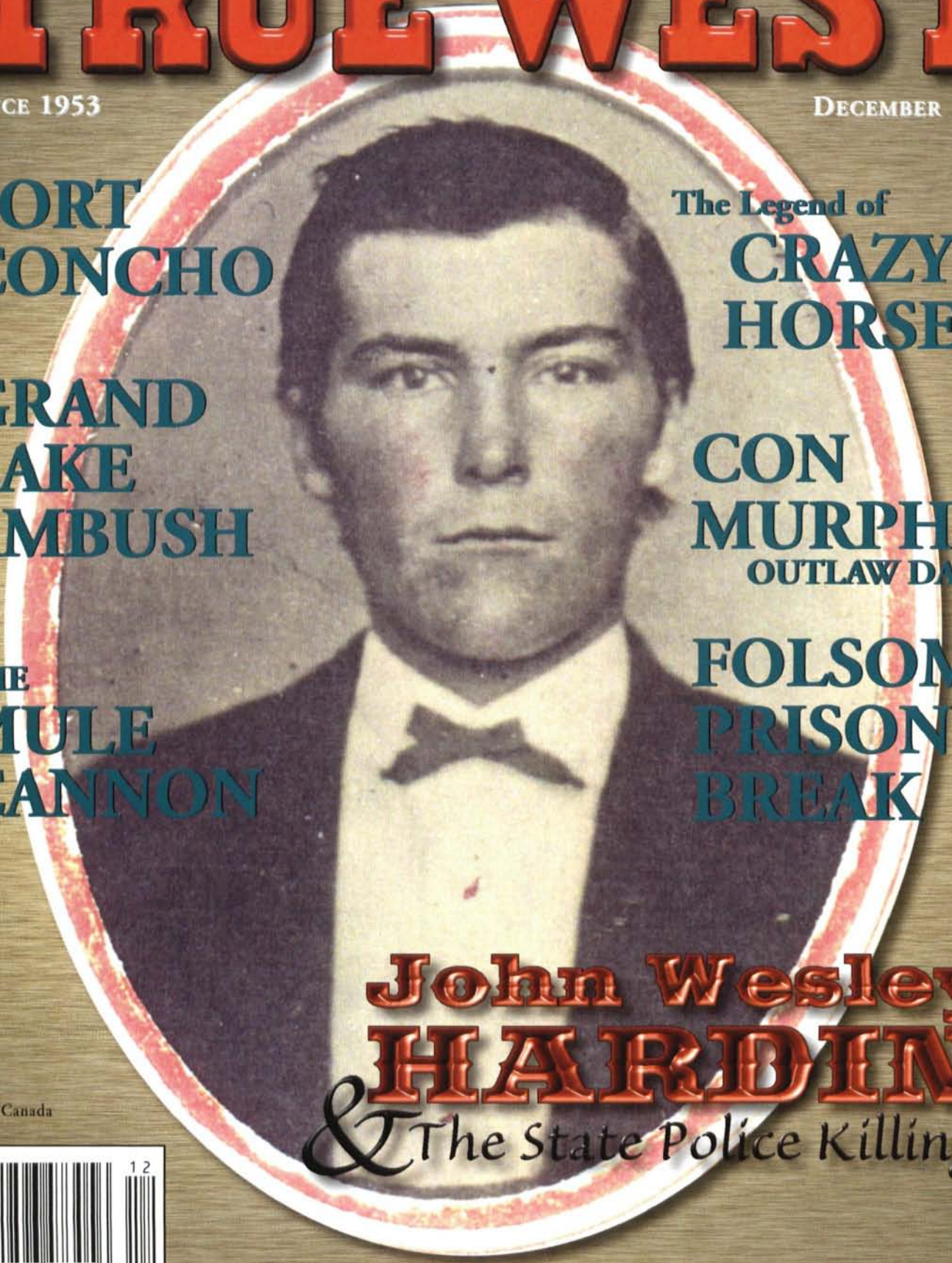

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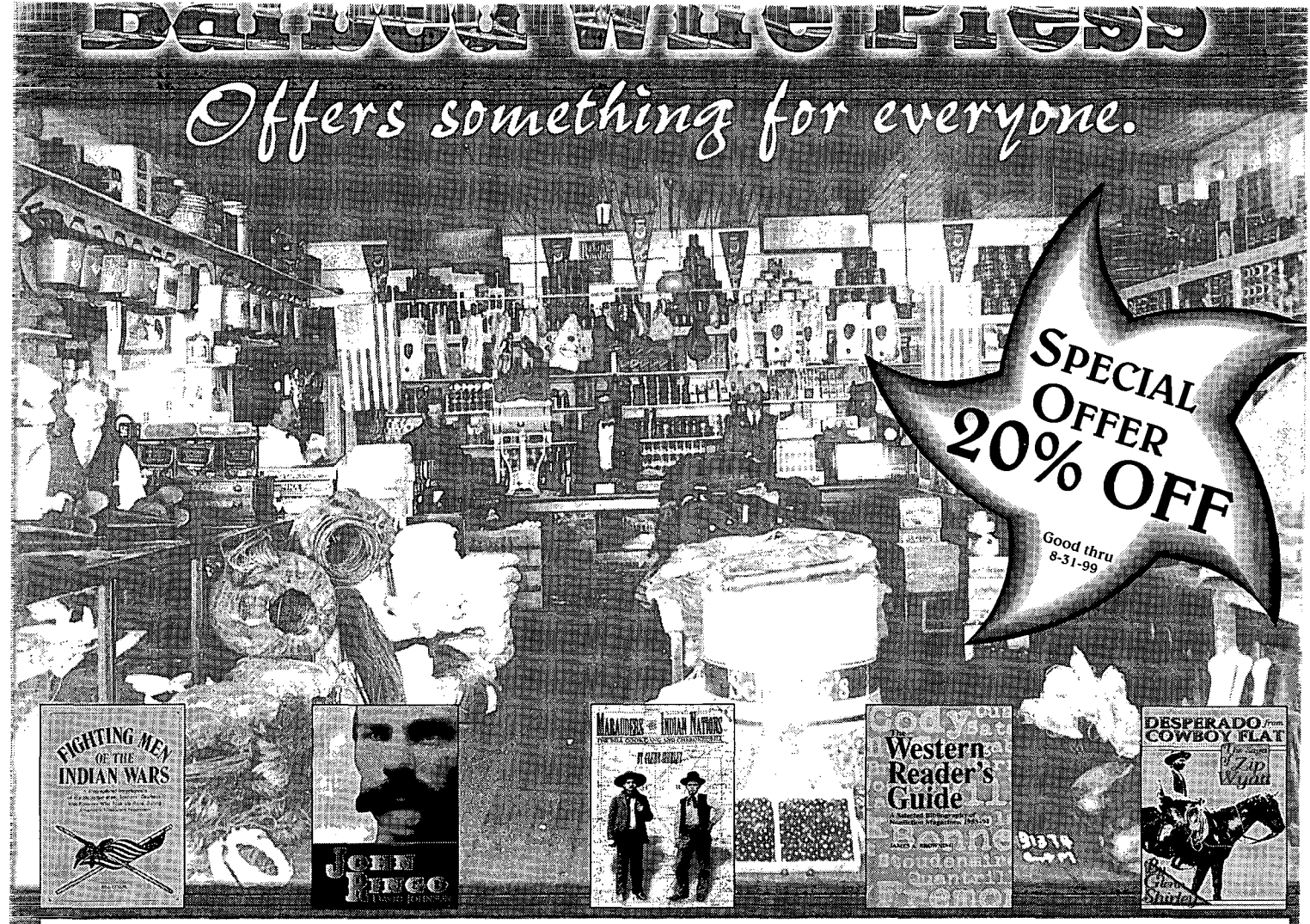

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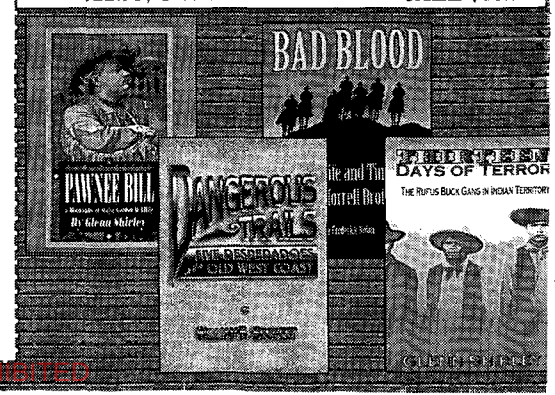

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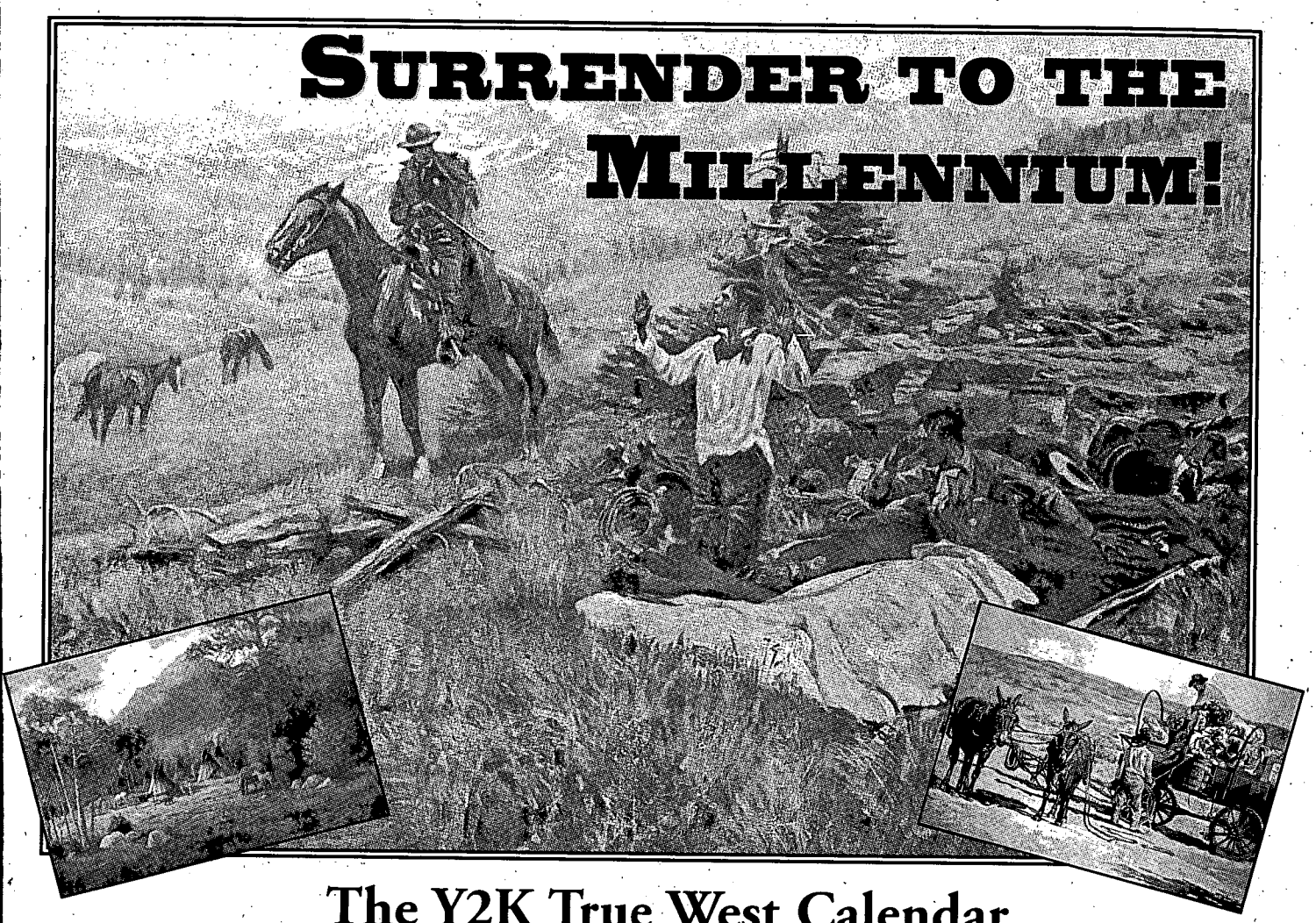

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John Wesley Hardin, from an original tintype.
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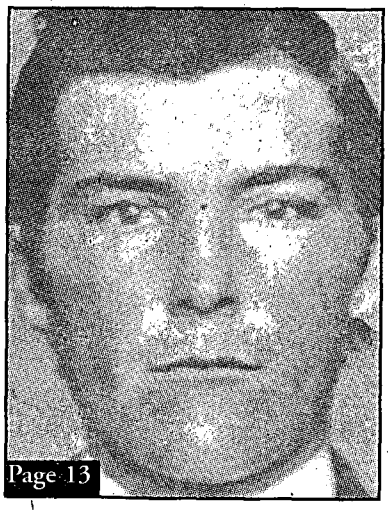
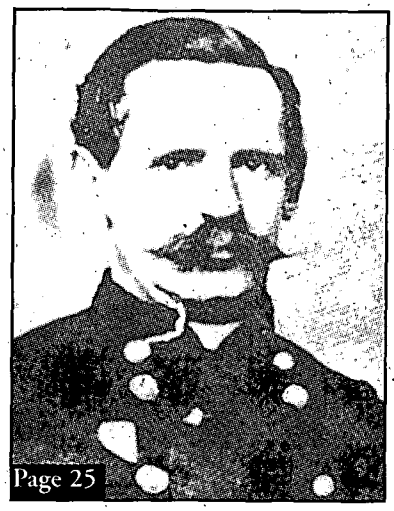

Page 13


Page 25

This Issue:

13 **Gunfire in Hemphill**. *By Chuck Parsons.* John Wesley Hardin's aim was a little off when he tangled with Texas State Policeman Sonny Speights in 1872; otherwise, the lawman would have been another victim on Hardin's "kill roster."

18 **Braddock and Moore: Two of Texas' Worst**. *By Gary P. Fitterer.* A rock-throwing incident leads to the untimely deaths of three honest men and two Texas hardcases named Dee Braddock and Henry Moore.

25 **Life History of Colonel N.A.M. Dudley**. *By Don Cline.* A confirmed, arrogant alcoholic with little regard for military orders, Lieutenant Colonel Nathan Dudley emerged as one of the most controversial figures in the Lincoln County War.

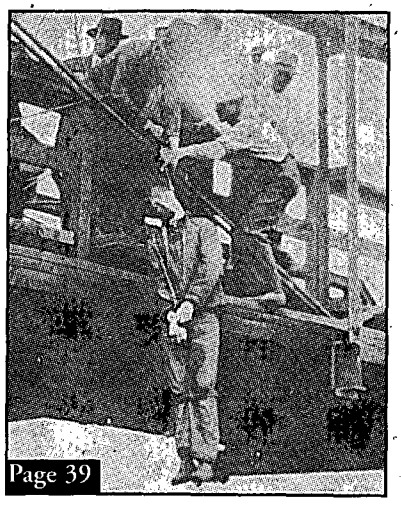
31 ***True West* Legends: Crazy Horse**. *By Chris Roberts.* A young Sioux warrior, glorious in battle and spirited in leadership, earns the famous name, Crazy Horse.

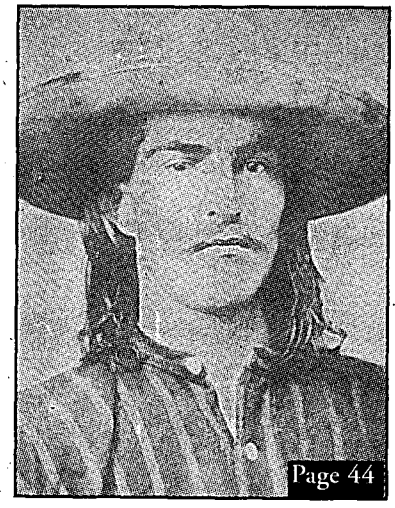
39 **Con Murphy: A Daisy of an Outlaw**. *By Elmer D. McInnes.* After five successful jail escapes, stock rustler Con Murphy becomes the prime candidate for a Montana rope party.

44 **Grand Lake's Fatal Fourth**. *By Theresa Goldstrand.* On the morning of July 4, 1883, an ambush along the banks of Colorado's Grand Lake effectively wipes out the city commission and ends a county seat war.

47 **Holding the Line**. *By John Evans.* With guns supplied by outside sources, George Sontag leads a daring escape from California's Folsom prison, and a desperate run for the American River.

61 **Wild Old Days: Hairy Howitzer**. *By Brad Prowse.* A young army officer attempts to make an early assault vehicle from a scraggly mule and a heavy cannon.


Page 39


Page 44

Page 47

Departments

3 FROM THE EDITOR
4 TRULY WESTERN
7 ROUNDUP
52 REVIEWS
58 ANSWER MAN
61 WILD OLD DAYS

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From the Editor

It's gonna be a long, hard, ride...

Howdy, ya'll!

I'm reminded of a scene from Sam Peckinpah's controversial film, *Pat Garrett and Billy the Kid.* James Coburn's Pat Garrett sits down with Kris Kristofferson's Billy, and advises the young renegade that there is a new sheriff in town, and the times are changing. "The times may be changing, Pat," Billy replies, "but I'm not."

Balancing on the brink of a new millennium, with this, our last issue of the twentieth century, it seems that *True West,* a renegade from the very beginning, has been bucking change for a very long time. It seems only logical that we eventually hit the end of the trail, and die a lonely death, just like Peckinpah's doomed Billy.

Launched on a wing and a prayer in 1953 by Joe Small, *True West* and her subsequent sister publications, *Frontier Times, Badman, Gold, Relics, Horse Tales,* and *Old West,* created, defined, and eventually set the pace for an entire genre of magazines.

Critics of *True West* claim a rabid, dedicated group of subscribers have kept the magazine rolling when others fell by the side of the road, victims of changing times. There's no use arguing the point; they are plumb near right. We realize that reader devotion has saved our life more than once, and we will be forever grateful. What publication wouldn't want to boast of a dedicated audience and an above normal renewal rate? Not many.

We can also thank our writers and artists, who believed in us enough to, at times, work for very little or nothing at all, because they believed in the product. This publication, a miracle of progress in a business with a history of failures, has seen its share of rough times. Months went by when contributing writers and artists went without compensation; outside advertising was slim to none; paper prices pretty much killed the prospect of going glossy, vital to competition; and distribution dropped to an all-time low. It's becoming harder and harder to find *True West* at the local newsstand, which seems to both puzzle and delight our most vocal critics and competition.

Which begs the question: what are we prepared to do to keep *True West* going for *another* forty-six years? Or fifty? Or sixty? How can we guarantee that a whole new generation of readers will have the chance to experience what we have to offer? After all, a whole new generation of researchers, writers, and artists are emerging. They need a venue for their work and an audience to inform. Will *True West* fill that role in the twenty-first century?

The answer to the question is simple, and inevitable. Change.

When Joe Small launched this "rag" in 1953, it was fresh and provocative. Unfortunately, the magazine has never *really* matured since that point. Sure, the material presented has matured, the writing has gotten better with time, and new and exciting research is presenting itself every day. The look and attitude of the magazine has pretty much stayed the same since 1953, and in a world where flash and color rule the road, the old gray mare ain't what she used to be.

Change should be gradual, and we realize this. Expect gradual change to become the norm in the pages of *True West.* Come the January 2000 issue, there will be a new sheriff in town, and this renegade will be ready to ride, and ride hard, *forever.*

Marcus Huff

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Truly Western

Will the Real Bill Tilghman Please Stand Up?

I enjoy your *True West*, and read it cover-to-cover. I keep them all and never let anyone, especially relatives, borrow them.

On Sunday evening, August 22, I saw a movie on Turner Network Television called *You Know My Name*, starring Sam Elliott as legendary lawman Bill Tilghman.

Whenever I see a movie of this type (or read about it in a magazine), no mention is ever made of what happened to the family. Did Tilghman's wife remarry? Did his sons fight in World War II or did they become lawmen too? Did they have offspring that still survive to this day?—*Don Langiano, Strafford, Missouri.*

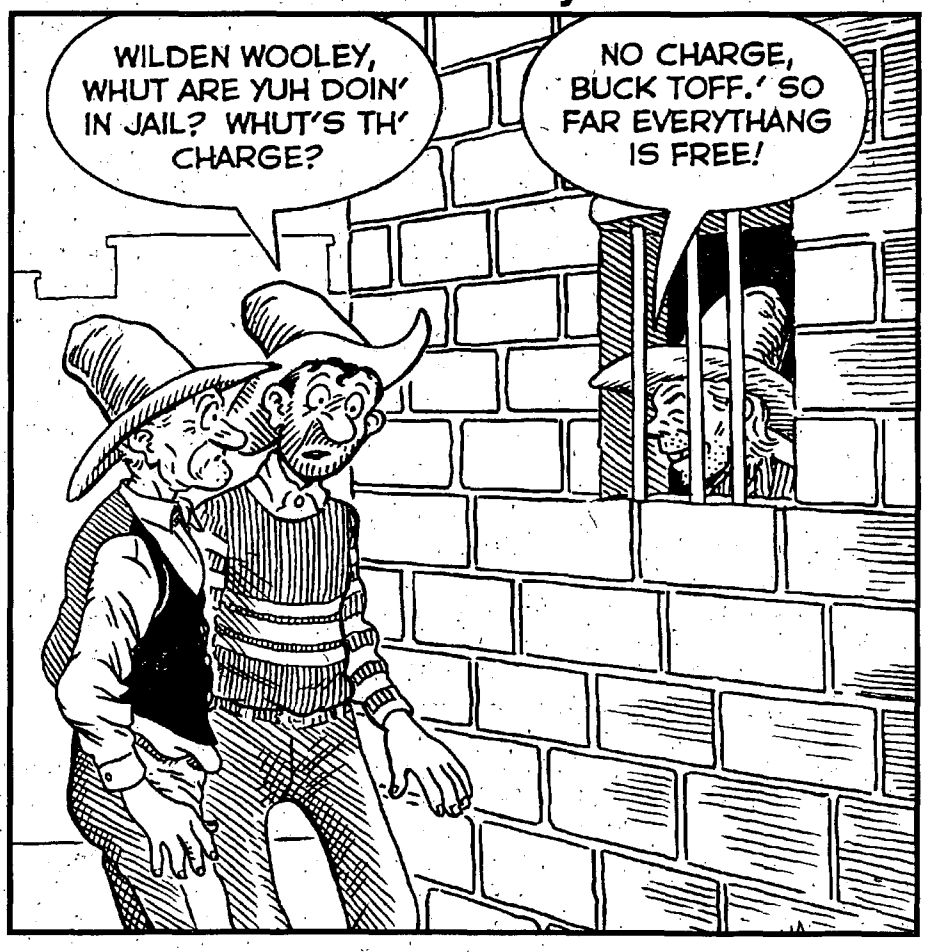
Editor's Note: In response to your questions regarding TNT's depiction of William Tilghman's family, I've enlisted the aid of Nancy Samuelson, noted lecturer and author of *Shoot From the Lip*. Nancy's most recent work deals with the controversial lives of Oklahoma's Three Guardsmen and E.D. Nix. For further reading, I might also suggest Glenn Shirley's epic *Guardian of the Law*. Nancy's Samuelson's response:

I will be happy to answer the questions Don Langiano asked in his letter about Bill Tilghman. I hope other readers are as willing as he is to find out more of the true story about Tilghman. The movie, *You Know My Name*, was one of the worst I have ever seen when it comes to historical accuracy.

First, Bill Tilghman was far from the great lawman that this movie made him out to be. Tilghman did as much to break the law during his life as he ever did to enforce it. Further, the movie did a complete character assassination of Wiley Lynn, the man who killed Tilghman. Lynn was an outstanding officer in every respect before he killed Tilghman. Lynn had served as a deputy sheriff of Marshall County, Oklahoma, and had run for county sheriff before he became a federal prohibition officer. The week before Tilghman's death, a federal inspector had praised Lynn highly for having the highest arrest record and the highest number of true bills found against those he arrested of any agent in that section of Oklahoma. Lynn was acquitted on the murder charge because he proved to the jury that he shot Tilghman in self defense.

The movie failed to mention that Tilghman had been married once before. His first wife was Flora Kendall, who had previously been married to man named Jefferson. Flora died in Guthrie, Oklahoma, in October 1900 and is buried in the Summit View cemetery in Guthrie.

SADDLE PALS **By Graham Ward**



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Flora had five children; the first one or two were possibly children of her first husband. These children were:

1. James, who died as an infant.

2. Charles, born November 22, 1878, in Kansas, died March 1972 in Oklahoma City, Oklahoma. He married twice and still has descendants living in Oklahoma City. Charles was involved in real estate, banking, and investments.

3. Dorothy "Dottie," born May 22, 1881, in New Mexico, died October 1973. She married Daniel J. Norton and had three children. Some of their descendants are still living. The couple lived in Chandler, Oklahoma.

4. William, Jr., born April 3, 1886, died March 1953 in Oklahoma. He was a lifelong criminal who served a number of terms in various prisons. In 1929 he broke out of the Tennessee State Penitentiary and attempted to kill Wiley Lynn, the man who killed his father. He married, but divorced, and had no children.

5. Viona "Vonie," born December 14, 1890, in Kansas, died July 7, 1927, of tuberculosis. Her married name was Sikes and her husband was probably Fred Sikes, a law associate of her half-brother, Tench, in Oklahoma City. She had no children.

Zoe Agnes Stratton and Bill Tilghman were married July 15, 1903. She was born November 15, 1880, in Kansas and died June 13, 1964, in Oklahoma City after a long battle with cancer. She never remarried after Bill Tilghman was killed. She taught school, worked during World War II at what is now Tinker Air Force Base, and became a writer of some note. She remained in Oklahoma City, where she and Bill had lived since 1911 when he became chief of police for Oklahoma City.

Zoe and Bill had three sons, not just two as shown in the movie. Zoe and all of the boys were considerably older than depicted in the movie. The sons born to Zoe and Bill Tilghman were:

6. Mayo Tench "Tench," born September 26, 1905, in Oklahoma. died August 2, 1970, in the Veteran's Administration hospital in Oklahoma City. He became an attorney and served for twenty years or more in the United States Army. He retired as a lieutenant colonel. He served in France, Korea, and Turkey and was assigned as a congressional liaison officer in Washington, DC, for three years near the end of his career. He married. One daughter, Janice Sue "Suzie," is still living.

7. Richard Lloyd "Dick," born September 20, 1907, died October 28, 1929. Dick, his brother Woodie, his uncle Alfred Stratton, and two other men attempted to hold up a dice game near Minco, Oklahoma, in October 1929. Dick was shot through the liver and died a few days later.

8. Woodrow Wilson "Woodie," born October 1912, in Oklahoma, died March 1981, in Fort Worth, Texas. He married and was divorced

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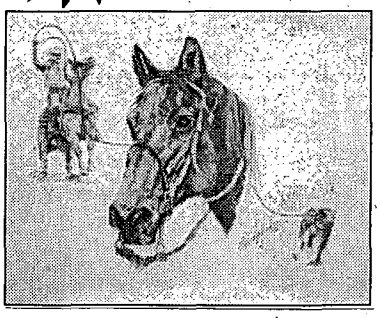

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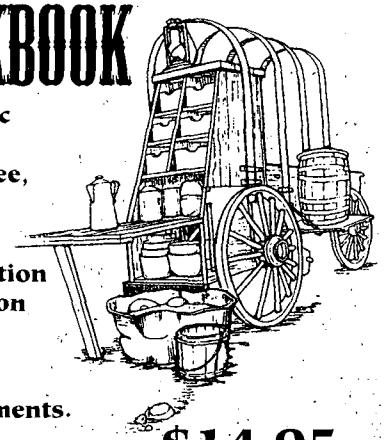

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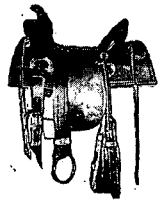

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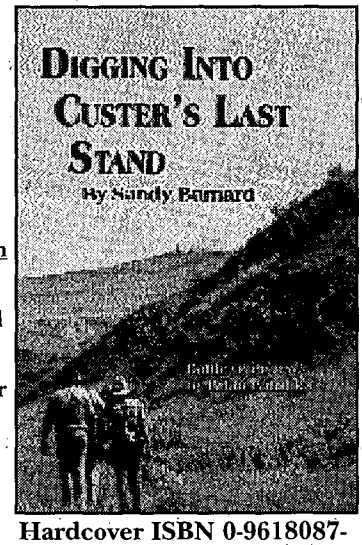

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but had no known children. Woodie was also a lifelong criminal. He went to reform school after the attempted dice-game holdup in 1929 and spent most of his adult life in and out of prison. He went to Leavenworth prison for violation of the Mann Act in 1947. Later, he was wounded in a gunfight with a girlfriend in Oklahoma City. Woodie's "rap sheet," in his federal prison record, is four or five pages long.

Most of the Tilghman family are buried in Oak Park Cemetery in Chandler, Oklahoma. Woodie is buried in Fort Worth, Texas.

I hope this answers most of Mr. Langiano's questions.—*Nancy Samuelson, Eastford, Connecticut.*

New Billy Stiles

I appreciate the compliment from my long-time friend, Bill Secrest, of Fresno, California, in the October issue of *True West*'s "Truly Western." He refers to my article about Matt Burts in the August issue of *True West* and further observes that the photo of Billy Stiles I used to illustrate the article "doesn't look like any Billy Stiles photos I've ever seen." He is absolutely correct; it doesn't.

The photo I used is from the files of the Yuma Prison State Park. Although Stiles never served a prison sentence, the photo was taken through regular admittance procedures when he was ordered held there for "safekeeping" as a witness for the prosecution in train robbery trials. He entered Yuma prison on July 6, 1900, and he was returned to court to testify in December 1900. There is no doubt that the picture is of Billy Stiles. It makes one wonder about the authenticity of the other Billy Stiles photos, doesn't it?—*Harold L. Edwards, Bakersfield, California.*

Your letters and comments are welcome. Please keep letters to 300 words or less. All letters received by Western Publications will be considered for publication unless otherwise stipulated in the letter. Space does not permit us to print all letters we receive. Letters july be edited for space and clarity. Be sure to include full name, address, and zip code. Photos are welcome. Address all letters to Western Publications, PO Box 2107, Stillwater, OK 74076. E-mail us at, Western@cowboy.net. Due to the volume of mail, we cannot forward correspondence to people whose letters appear in "Truly Western."

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Roundup

FORT CONCHO SOLDIERS ON

By David F. Crosby

Author's Photo

Colonel Benjamin Grierson constructed Fort Concho's Headquarters building in 1876. For a time, this building served as headquarters for the Military District of the Pecos. Today, it houses the Fort Concho Museum.

The Old West died hard in Texas, and Fort Concho, where many of the units and men who wrote much of Texas' military history lived, worked, and played, still soldiers on. Cavalrymen of Colonel Ranald Mackenzie's Fourth Cavalry or buffalo soldiers of Colonel Benjamin Grierson's Tenth Cavalry no longer ride out onto the desolate Staked Plains of Texas in search of Comanches, but living history units still form there to remind us that they once did. Today, Fort Concho serves Texas as a historical monument and Old West military museum.

The living history groups that call Fort Concho home maintain the barracks—making the beds, storing their tin cups and coffee pots, and the other odds and ends of Old West soldiering—giving the old limestone and pecan wood billets the feel and smell of real history. The fort claims one of the few buffalo soldier living history groups in the nation, and the soldiers participate in special events at Fort Concho and across the state. The buffalo soldiers and the other living history groups muster at the fort every June during the Frontier Day celebration.

Fort Concho visitors discover interpretive guides manning the barracks, ready to explain the enlisted man's day-to-day life during the

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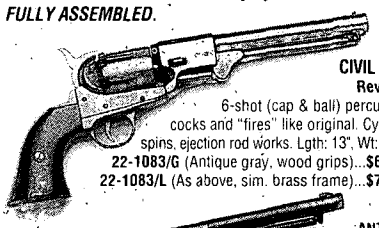

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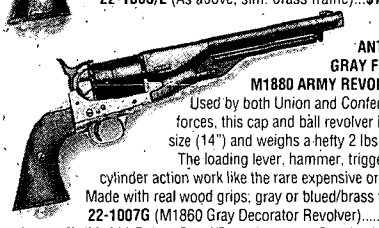

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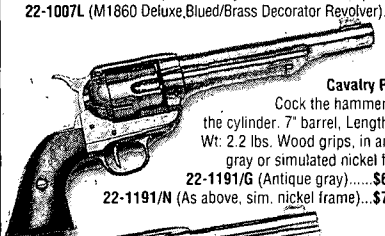
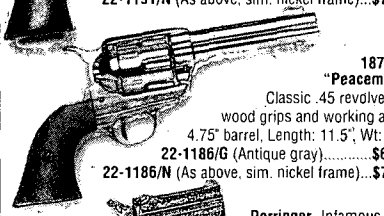
22-1007L (M1860 Deluxe Blued/Brass Decorator Revolver)... **$72**



1873 Cavalry Pistol.
Cock the hammer, spin the cylinder. 7" barrel, Length: 13", Wt: 2.2 lbs. Wood grips, in antique gray or simulated nickel frame.
22-1191/G (Antique gray).....**$67 PPD**
22-1191/N (As above, sim. nickel frame)...**$72 PPD**



1873 "Peacemaker"
Classic .45 revolver with wood grips and working action. 4.75" barrel, Length: 11.5", Wt: 2 lbs.
22-1186/G (Antique gray).....**$66 PPD**
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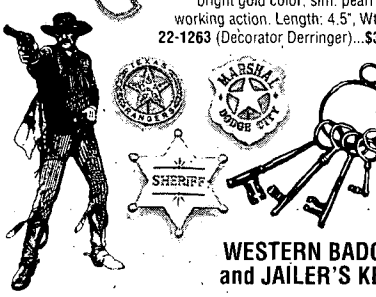

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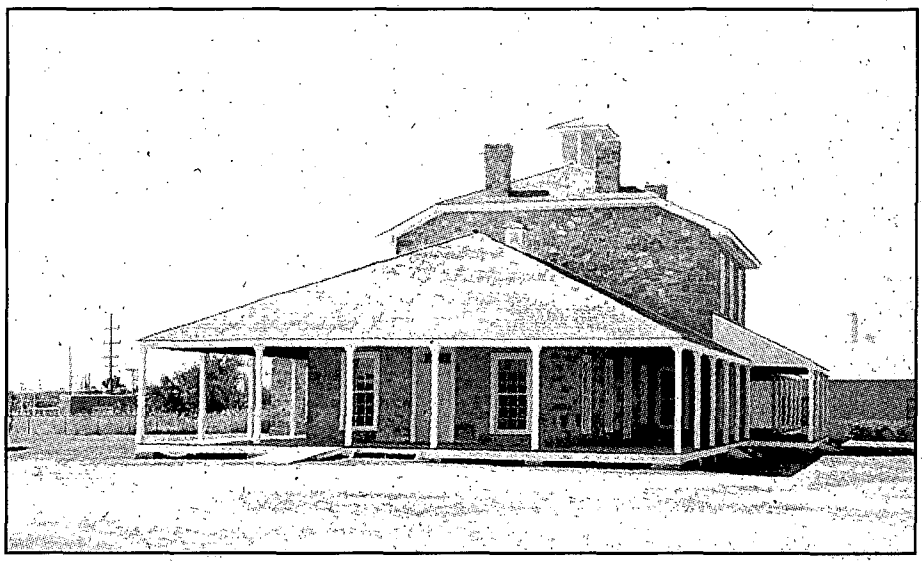
Indian Wars. It was not an easy life. Low pay—$13.00 for a private—isolation, sunstroke, heat, and frostbite cold, harsh punishment (enlisted men were sometimes hung by their thumbs), and a monotonous fare of hardtack, salt pork, and beans led to a high desertion rate. Life in the field was worse. A patrol could stretch for hundreds of miles across barren plains. In 1877, during a hot pursuit of Indians, four troopers from Company A, Tenth Cavalry, stationed at Fort Concho, died of thirst. The remainder of the company survived, but just barely; they drank the urine and blood from their dead horses to make it to a water hole.



Author's Photo

The Fort Concho post hospital now houses the Robert Wood Johnson Museum of Frontier Medicine.

Built in 1867 as one in a line of forts that stretched across the Texas frontier, Fort Concho held the strategic center of the line near the confluence of the Concho rivers. Designed to thwart Indian attacks on frontier settlements, its troopers witnessed plenty of action. Famous warriors like Ranald S. Mackenzie, Wesley Merritt, William R. Shafter, and Benjamin H. Grierson commanded the fort during its active life. By 1889, with the Comanche wars long over, Fort Concho no longer had a purpose, and its flag was lowered for the last time. Unlike many other frontier forts, a sizable civilian town had taken permanent root nearby, and the townspeople quickly took over the fort's abandoned storage space and housing. San Angelo has restored and rebuilt most of Fort Concho's original buildings, making it the most complete Indian Wars-era fort west of the Mississippi.

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reconstructed buildings, and one stabilized ruin. The structures include enlisted barracks, officers' quarters, the hospital, post headquarters, chapel, and quartermaster building.

The enlisted barracks and mess hall were built in the early 1870s, and the original limestone walls remain today. During renovation, Barracks One and Two became the visitor center and gift store, and Barracks Five and Six replicated the billets of a typical Fort Concho company. Mess Hall Five, directly behind the barracks, contains all the furnishings of an 1870s military dining hall.

Nine sets of officers' quarters stretch along officers' row. The largest, Quarters Number One, was the commanding officer's home. Colonel Grierson lived in this particular house from 1875 to 1885. Each house has its own history and is furnished with period furniture and household items.

The Robert Wood Johnson Museum of Frontier Medicine occupies the post hospital. The museum's exhibits display the medicines, instruments, and sanitation measures that contract surgeons used to try and fight disease—the real enemy at any frontier post.

Built in 1876, the post headquarters building served as the nerve center for Fort Concho. The post commander and his adjutant ran the post and the regiment from this limestone and pecan wood structure. The post adjutant was the commanding officer's chief aide, and it was he who issued the rules, policies, and paper work that turned the commander's orders into actions. The adjutant's office, the clerk and orderly room, and the court-martial room appear as they did when Grierson ruled the building, the post, and the Tenth Cavalry. The building also houses the Fort Concho Museum.

The chapel started out as the kitchen of a planned addition to officers' row. When the project was abandoned in 1879, the base chaplain convinced Grierson to convert the structure into a small chapel

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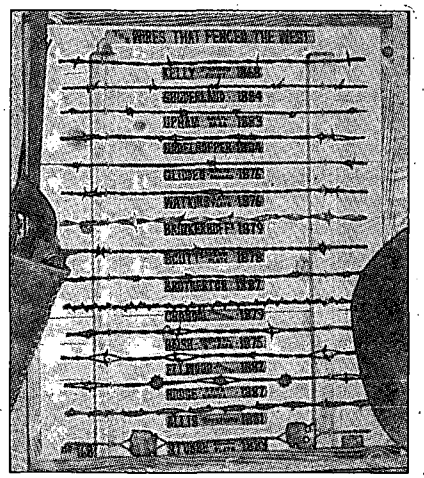

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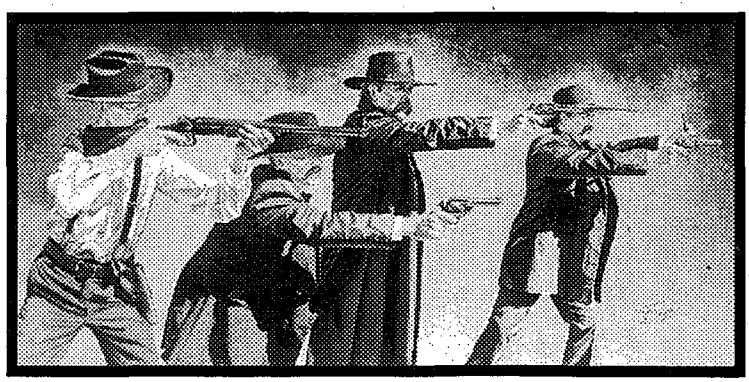

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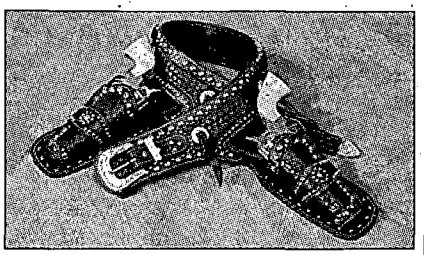

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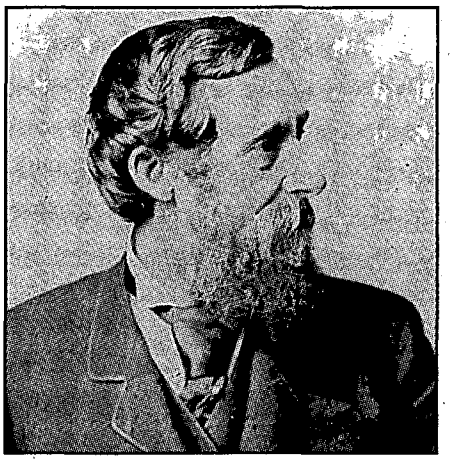

Western Publications' Archives

Colonel Benjamin Henry Grierson (1826-1911), commander of Fort Concho.

that would double as a school house. At the time, teaching was a chaplain's primary duty. Black units, the only army units authorized for chaplains during the Indian Wars period, held a large number of former slaves, most illiterate. The chaplain's job was to teach them to read and write so that they could rise to the noncommissioned ranks. He also taught Fort Concho's children. Today, the chapel is outfitted as a frontier school.

The quartermaster building, the second oldest structure in San Angelo, now serves as the home for the San Angelo Museum of Fine Arts. The works of many famous and talented artists now fill the rooms and halls where soldiers were once issued uniforms and equipment.

During its founding years, Fort Concho's soldiers stayed on the defensive, providing escorts to supply trains, stage coaches, and pursuing raiders of nearby settlers. In September 1869 all that changed when Colonel Ranald S. Mackenzie assumed command of the post. Mackenzie went on the offensive. Often combining forces with other Texas forts, he pursued and fought the Comanches. None of these battles proved decisive, but each was a learning experience for Mackenzie. In the Red River War of 1874-1875, Mackenzie used his hard-earned knowledge to win the Battle of Palo Duro Canyon and sweep the Comanches off the Llano Estacado for good.

In the field with eight troops of cavalry, Fort Concho's buffalo soldiers among them, Mackenzie camped on the night of September 26, 1874, at Tule Canyon. That night the Comanches attacked and tried to drive his horses off. Mackenzie, using a tactic he had learned from his days at Fort Concho, had anticipated the move and had his horses hobbled, cross-lined, and heavily guarded. Thwarted, the enemy withdrew and resorted to harassing sniper fire for the remainder of the night. At dawn, Mackenzie drove them off.

It soon became obvious why the Comanches had tried to drive his horses off. His Tonkawa scouts reported finding a large camp in Palo Duro Canyon.

Palo Duro had long been a favorite haunt for Comanches. It offered water, forage, and its steep walls delayed and channeled anyone who sought to attack them. Colonel Mackenzie knew the defensive advantages that the canyon offered the Comanches, but from his Fort Concho field experience he remembered one fatal flaw in Comanche culture: warriors followed the orders of a war chief only when they felt like it. That made night guards around a Comanche camp a lax affair.

In the dim light of dawn on September 28, 1874, Mackenzie ordered his troops to dismount and lead their horses in a single file down a narrow, steep trail on the face of Palo Duro Canyon and form an attack on the canyon floor. Three companies reached the canyon floor before an alarm swept through the Comanche camp. The companies on the floor charged the surprised Comanches as their companions continued down the rocky face.

As the cavalrymen rode among the teepees firing, the warriors fled in a rout, racing for cover beyond the camp. They returned fire from the boulders and brush and forced the troopers to dismount.

The battle degenerated into a

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sniping contest, but the troopers continued to receive reinforcements from the rim of the canyon wall and the tide of the battle was clear for all to see. The warriors made one last attempt to recover their horse herd from the troopers, then scattered into the canyon.

As the guns fell silent, only four warriors lay dead and one trooper wounded.

Mackenzie ordered the captured teepees and Comanche supplies torched and then drove the 1,424 Comanche horses he had captured to Tule Canyon.

In 1872, while commanding Fort Concho, Mackenzie had fought Moway's Comanche band in the Battle of McClellan Creek. He had defeated Moway and captured his horse herd. The night after the battle, Moway stole his own horses back, and most of Mackenzie's. Like all good commanders, Mackenzie learned from his mistakes.

Ordering a few hundred of the best mounts cut from the herd for his own men, he ordered the rest, over a thousand, shot. He then posted a large guard on his own horses and sealed the Comanches fate.

Adrift on the endless Staked Plains as winter approached, without food, shelter, and on foot, the Comanches had no choice but to turn themselves in to the agencies. Organized Comanche resistance was forever broken, and the men and tactics learned at Fort Concho played a prominent role in their defeat.

Tragically, the architect of the battle of Palo Duro Canyon and former commander of Fort Concho would lose his most important battle.

Graduating first in his West Point Class on June 17, 1862, Mackenzie fought his way to brevet major general by the end of the Civil War, seeing action at Manassas, Chancellorsville, Gettysburg, and Petersburg along the way. Retaining the rank of colonel during the Civil War reduction of the regular army, Mackenzie once again proved himself a military prodigy while serving on the frontier. President Ulysses Grant

Author's Photo

Fort Concho's Officers' Row. Many of the West's most famous soldiers lived along this piece of real estate.

referred to him as the most promising officer in the army. Despite the promotion stagnation that doomed most officers to retire as lieutenants or captains, he wore the star of a brigadier general once again on October 26, 1882. Sadly, only seventeen months later, on March 24, 1884, he would retire in defeat, insane from syphilis, an unfit end for a fine soldier.

Many fine units called Fort Concho home during its twenty-two years of active service. The famous Fourth and Tenth cavalries claimed it as their regimental headquarters, along with the Eleventh and Sixteenth infantries. Troops of the Third, Eighth, and Ninth cavalries and companies of the Seventeenth, Nineteenth, Twenty-fourth, and Twenty-fifth infantries also called the fort home.

Today you will find Fort Concho inside the San Angelo city limits at 213 E. Avenue D. The Fort Concho Museum is open Tuesday through Saturday, 10 AM to 5 PM, and on Sunday, 1 PM to 5 PM. For a schedule of special events, write Fort Concho, 213 E. Avenue D, San Angelo, Texas 76903. For more information, call (915) 657-4441.

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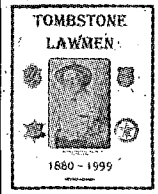

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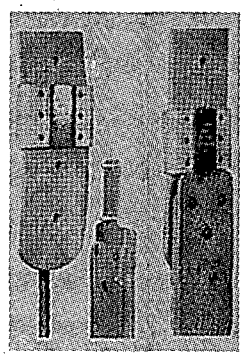

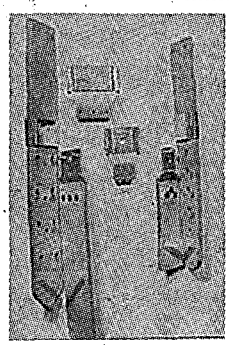

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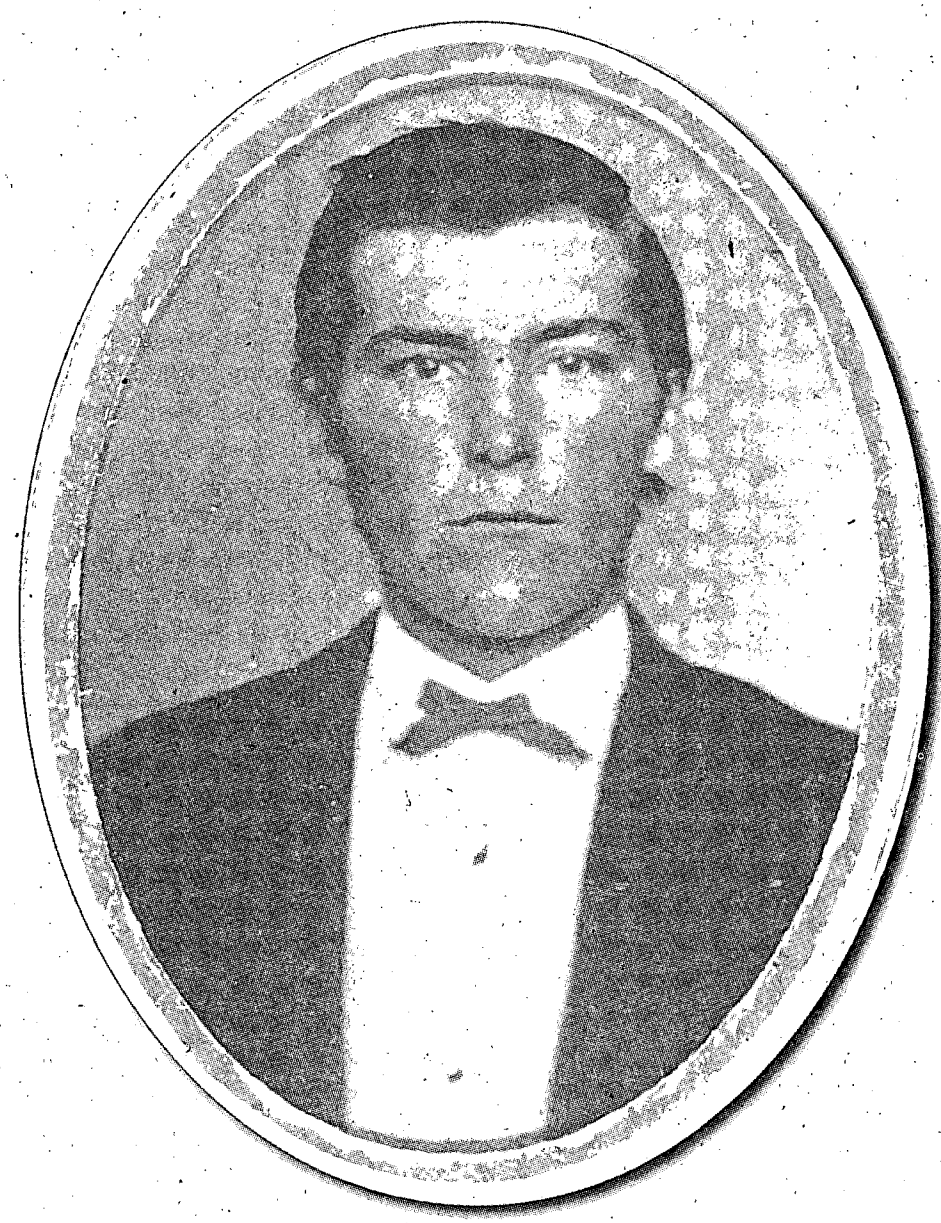
GUNFIRE IN HEMPHILL

By Chuck Parsons



Courtesy Robert G. McCubbin

This image of John Wesley Hardin, taken from the original tintype, depicts the gunman in his youth, as he would have looked at the time of the Speights altercation in 1872.

Most of us are familiar with the autobiography of John Wesley Hardin, the "dark angel of Texas" as his most recent biographer, Leon C. Metz, labeled him. In Hardin's autobiography, published posthumously in 1896, he described the killing of some forty men. (Or, if he did not kill them all, he at least shot that many; there may have been other victims that Hardin chose to ignore when writing about his adventures.) Although only a few of Hardin's victims were equal in gun-handling ability, he still was a deadly man with a gun. The pistols of the 1870s were not entirely dependable, and no amount of practice could prepare you if luck was with your adversary.

What has always fascinated many western buffs is Hardin's ability to recall names and places for the benefit of his reader. Hardin's gunfighting career ended in 1877 when he was captured by Texas Rangers in Florida. The years in prison until his release in 1894 certainly allowed him plenty of time to think about his life, perhaps enough time to contemplate his many, deadly confrontations.

How did he manage to remember the details of all those gunfights? Did he just have a good memory? It is inconceivable that he kept any kind of a journal, and it is doubtful that he ever clipped newspaper articles about his adventures for later review.

It is possible that he had time to become well acquainted in various

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communities, so remembering names would not be unexpected. However, Hardin was essentially a transient, roaming throughout Texas, settling down for brief periods in between difficulties, and by necessity moving on. His first killing, in 1868, forced him to flee; due to subsequent killings, he continued to live the life of a fugitive. In 1871, on his way to Mexico, he chose to visit his cousins, the Clements brothers, in Gonzales County, Texas. But instead of settling down, he joined a trail drive and went up the trail to Kansas, adding to his body count on the trail. Returning to Texas he became embroiled in the Sutton-Taylor Feud, always on the dodge to avoid ambushes. His brief stay with family in Comanche, Texas, resulted in another killing, forcing him to flee the state just after his twenty-first birthday. He ended up living in various places in Florida, where he was captured after three years. Only when incarcerated did he stop running.

Presumably during his prison years, Hardin pondered the events of his life and decided to leave a record of his exploits for posterity. Even after being pardoned, he was unable to settle down. Returning to Texas, he became embroiled in a political race in Gonzales County and then a short-lived marriage in Kimble County. He finally moved westward to El Paso.

Instead of settling down to enjoy middle age, Hardin could not avoid the situations that would lead to further difficulties. Drinking, holding up gambling dens, openly wearing a pistol, challenging the law, it all came to a crashing end on August 19, 1895, when he was shot in the back of the head by El Paso Constable John Selman.

His autobiography, probably dictated to Helen Mrose, is filled with the names and dates and details of his various gunfights. It is understandable perhaps that Hardin could easily remember a noted individual such as Wild Bill Hickok, who he claimed to have bested but did not shoot in Abilene, Kansas, but he also remembered the names of two obscure cowboys killed by cousin Mannen Clements in 1871.

He remembered a gunfight with Phil Sublett, the details of a gunfight with Charles Webb, the victims of the Sutton-Taylor Feud, and what is most important to us here, the gunfight with Texas State Policeman John Henry Hopkins Speights, or as Hardin recalled him, "Sonny" Spites. (J.H.H. Speights was perhaps called "Sonny" to distinguish him from his father, Judge William Myrick Speights, also a state policeman at one time, but who had died a natural death in May 1872.) In Hardin's autobiography, *Life of John Wesley Hardin,* the noted gunman devotes approximately 570 words to the confrontation with Speights.

Hardin placed the action in Hemphill, Sabine County, a few miles from the Texas-Louisiana border, when "I got into a difficulty with Sonny Spites, one of E.J. Davis' infamous State Police. It happened in this way:..." Hardin explained that a traveler named O'Connor, returning from a trip to Louisiana, was on his way home to Austin and spent the night in Hemphill. A state policeman arrested him because he was wearing a pistol, which by law a traveler could have in his possession going from county to county. The policeman took him into Hemphill where, on the policeman's "bare statement," he was fined $25 and costs and had to surrender the pistol. Somehow Hardin heard of this "outrage" and presented his argument to the justice, who awarded O'Connor a new trial. This time O'Connor was acquitted. But the situation was not over, and Hardin, who must have considered himself a capable negotiator by this

JOHN WESLEY HARDIN

Occupation: Stock dealer, feudist, lawyer.
Born: May 26, 1853, Bonham, Fannin County, Texas.
Parents: James G. Hardin, a Methodist preacher, and Elizabeth Hardin.
Died: August 19, 1895, Acme Saloon, El Paso, Texas.
Killed by: John Selman, Sr., a former outlaw leader and El Paso constable.
Criminal record: Boyhood stabbing incident; discharging a firearm, resulting in the verifiable deaths of at least 40 men; manslaughter; resisting arrest; robbery of a gaming table; issuing threats against an officer; and general violent behavior when under the influence of alcohol.

"The way you bend a twig, that is the way it will grow, is an old saying, and a true one. So I grew up a rebel."—John Wesley Hardin.

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time, continued:

In the meantime the policeman had taken possession of O'Connor's horse and saddle and was already trying to sell them to pay the fine and costs, O'Connor being broke. I was in front of the courthouse talking the matter over with O'Connor and some others when a small boy about 10 years old began abusing Spites for arresting O'Connor at his father's house. Spites came up and listened to him and finally told the boy if he did not shut up he would arrest him too. The boy ridiculed him and defied him to do it, telling him that no one but a coward would arrest a poor traveler. Spites told him if he did not shut up he would whip him. The boy told him he was not afraid, just to go ahead and whip and arrest him[.] Spites got up to slap the boy, when I told him to hold on, that if he was in earnest[,] to slap a man. He told me he would arrest me for interfering with him in the discharge of his duty. I told him he could not arrest one side of me, and the boy laughed. Spites started to draw a pistol. I pulled a derringer with my left and my six-shooter with my right and instantly fired with my derringer. The dauntless policeman ran to the courthouse and asked the judge to protect him. I learned afterwards that Judge O.M. Roberts was the man appealed to. I would not shoot a fleeing man, not even a policeman, so I jumped on a horse and rode around to where my own was at Dr. Cooper's. When I got there, Billy Harper was leading my horse Joe out of the stable and Mrs. Cooper was bringing my saddle bags. I saddled Joe as quickly as possible and got my saddle bags on. (Mrs. Cooper was Billy's sister.) She cried out, "Wes, yonder comes pa with some men; for God's sake, don't shoot."

I told them good-bye and to get out of the way. Billy was trying to let down the [corral] bars and the sheriff and posse were right on me. I knew the sheriff was my friend, so I would not fire on him. I put spurs to Joe and went over the bars. Just as we went over, two balls struck Joe in the neck, but we soon distanced them and went to a friend's house about two miles from town. I awaited developments there and sent for Billy Harper.

Billy came back about dark and told me that Spites was not mortally wounded, only hit in the shoulder and scared to death. He said everybody approved of what I had done, and that Jess and John Harper had come with the horses. They were at Frank Lewis' with the herd, about seven miles from town, and were expecting me out tomorrow. This was about the 26th day of July, 1872.

"Spites started to draw a pistol. I pulled a derringer with my left and my six-shooter with my right and instantly fired with my derringer."

On July 27, Hardin joined the herd and stayed a few days, then sold his horses to the Harper brothers and started on his way predictably, to further adventures.

In these few paragraphs Hardin provided the names of several characters who he recalled more than two decades later: the traveler O'Connor; Policeman Speights; Judge O.M. Roberts, who later became a Texas governor; Dr. Cooper and his wife; Billy, Jess, and John Harper; Frank Lewis; and the unidentified sheriff, who he certainly should have remembered, Elmer Harper. We would not expect him to remember the name of the boy whose taunting initiated the exchange between Speights and Hardin.

Before presenting the other side of the gunfight it is proper to look at the official record. Adjutant-General Frank L. Britton prepared a list of "Casualties in State Police" from January 1871, to the present. The list showed that at that time, eight policeman had been killed, and five wounded. Green Paramore had been killed and John Lackey wounded in Gonzales by Hardin. Also among the list of those wounded was J.H.H. Speights. Britton placed the Speights affair in Milam, Texas, and the date as August 1872, whereas Hardin placed it as happening on July 26. Milam is a community some six miles from Hemphill. Perhaps the discrepancy is comes from the fact that the report from Speights was dated August 21 and prepared at Milam, Sabine County.

Speights' actual report has not survived, but when a report was received in the adjutant-general's office it was summarized by a secretary. What does remain is that summary, and it is most informative.

> [Policeman Speights] Reports operations & states arrested one Wm Conner, for carrying a pistol & turned him over to civil authority & states he was shot at & wounded by Wesley Hardin, who boasted of him being the 8th policeman he had shot & that he (Speights) was the only one he did not kill & states Hardin is still at large, although the Sheriff followed him but came back without success & states there were two men [who] assisted him in getting away. Wm Harper, & Ferguson; a discharged policeman.

One fascinating piece of information from Speights' version is the statement that Hardin took the time to boast that Speights was the eighth policeman he had shot, and the previous seven were killed. Speights may have felt extremely lucky after hearing this boast, or possibly he didn't believe Hardin's braggadocio. Further, since the sheriff was a Harper, one cannot help but think he did not pursue Hardin too close-

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ly and perhaps had no intention of catching up with him since they were friends. Hardin recalled he shot Speights in the shoulder; Speights merely states he was wounded. Two Sabine County justices of the peace, A.S. Alfred and Solomon Arthur, later wrote to adjutant-general headquarters that "Wesley Hardin shot and wounded J.H.H. Speights, State policeman, in the arm, and then made his escape." How did Hardin recall that small detail?

Attempting to document Hardin's previous seven state policemen victims only succeeds if we accept Hardin's own account. In January 1871 he shot Jim Smalley, in October 1871 Green Paramore. With these two the official record and Hardin's accounting agree. Hardin wounded John Lackey at the same time he killed Paramore, but how did he know Lackey did not die of his wounds as well?

Hardin claimed to have killed three others who had arrested him shortly after the Smalley killing, a trio who he identified as Smith, Jones, and Davis. The official record does not confirm this, but Hardin may have killed three men who he believed were policemen. For lack of knowing their real names he may have dubbed them simply Smith, Jones, and Davis. They were just as dead, anyway, whatever their names. He later got into a battle with a "posse of Negroes from Austin" in September 1871, and according to Hardin's counting, killed three of them. Thus, according to Hardin's account, the policemen he had killed prior to shooting Speights were Smalley, Paramore, Smith, Jones, Davis, and three unidentified posse members from Austin, eight dead policemen. Did Speights simply misunderstand Hardin when he boasted of the number he had shot?

By misunderstanding (or perhaps Hardin misspoke), eight men lay dead in Hardin's path, according to his tally. Thanks to Hardin's poor aim that day, Speights did not become number nine on Hardin's kill list.

Besides appreciating the uniqueness of a Hardin victim leaving an account of how he engaged in a gunfight and lived, it is important to investigate the individuals named in the policeman's account.

The "poor traveler" Hardin identified as O'Connor was William Conner, according to Speights, who was arrested for carrying a pistol. The unidentified sheriff was actually Elmore Harper, appointed to that position on March 29, 1871, then officially elected on November 8, 1872, serving until October 6, 1874. When the 1860 Sabine County census was enumerated by Policeman Speights' father, William M. Speights, he visited the residence of Elmore Harper. Harper's occupation was given as a farmer, a native of Mississippi. He and his wife, Julia Ann, had six children, including the three Hardin had recalled: Billy, Jess, and John. William A. was seven, Jesse L. was twelve, and John W. was ten when the census was conducted. The other Harper children were James R., Harris G., and Mary A., born as the parents moved westward from Mississippi to Louisiana and Texas.

The 1870 census for Sabine County also lists Dr. Cooper. Daniel M. Cooper, forty-one and also a native of Mississippi, was by occupation a physician; he had served in the Confederate army. His wife, the sister of Billy Harper, according to Hardin, and who urged Wes not to shoot for fear of hitting her husband, was Grace B., nine years younger than the doctor and also born in Mississippi.

Judge Oran Milo Roberts had served briefly in the Confederate army but achieved a remarkable career in politics. He was operating a law school during the late 1860s, and by 1874 was a Texas supreme court justice. How Hardin learned that Speights appealed to Roberts for protection is not known; none of Hardin's biographers offer a clue.

Although Hardin recalled the Harper boys being at Frank Lewis' place, no further information about this Lewis has been found.

Speights' accusation that William Harper and a discharged policeman, identified only as Ferguson, helped Hardin escape has not been confirmed by any other source. Although there were three Fergusons who served in the state police force, the "former" policeman would have to be Jeremiah Alexander Ferguson, one whose service record shows a very brief career as a policeman. He only served from September to October, 1871. Ferguson was a Louisiana native and had a wife and four year old son when the 1870 census was made.

The Texas State Police, created in 1870, was an organization intended to put down lawlessness. Because of sharp criticism from many Texas citizens the service ended in April 1873. Governor E.J. Davis may have had the best of intentions in creating the police force, but because of the poor caliber of many men serving on the force, laws were abused and prisoners were often shot "while attempting to escape." The grand experiment to establish law and order failed. In 1874, under Governor Richard Coke, the Texas Rangers were reorganized, and although occasionally guilty of the same abuses of the state police, became a highly respected and popular organization, which is still in operation.

From existing pay vouchers Speights' official career can be reconstructed. Eleven pay vouchers exist, dating from September 1871, presumably when he joined, until April 1873, when the force was discontinued. Whether Speights was sometimes off the payroll is unknown. Possibly he served continuously from its organization until the end, and the vouchers were simply lost. Payment for serving from September 19-30, 1871, was $32, or less than $2 per day. In October 1871, Speights received $80 for a full month's pay. The next vouchers are continuous from March 1872, until the last month the force was in existence. Each month shows the same $80 payment. In April 1873 he received $58 for service from April 1-22, or a little more than $2.60 per day.

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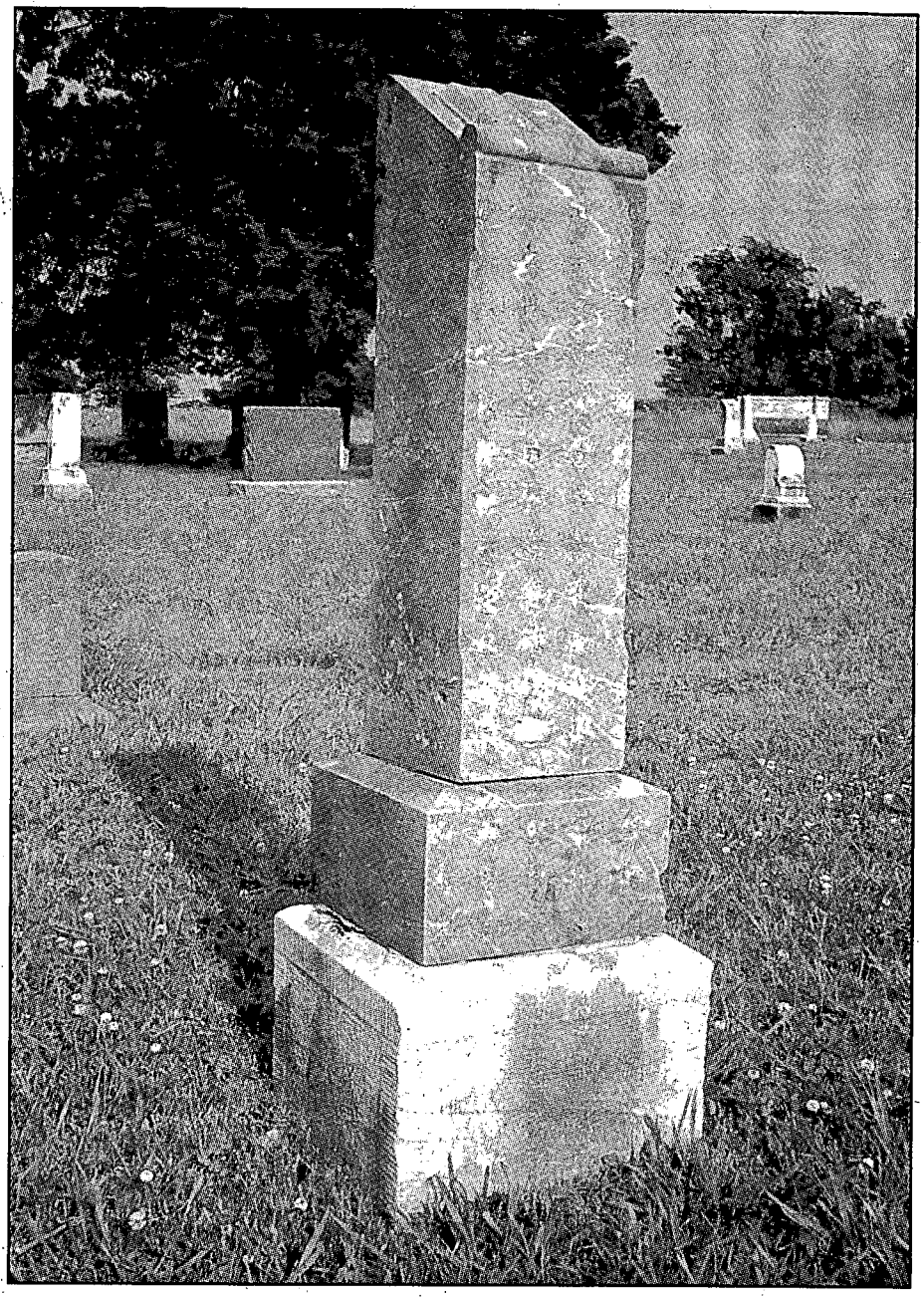
Little is known of Speights the man. His father, William Myrick "Bill" Speights, was a Georgia native. Family records do not agree on William's birth date, as some record it as July 9, 1814, while his tombstone says July 9, 1815. All agree on his death as being May 18, 1872. John Henry was the first born, entering the world on October 8, 1848. He was followed by Mary Elizabeth, William R., Ella E., and Nathaniel Speights, all believed to have been born in Sabine County. Presumably, John had an elementary education as his signature on pay vouchers is very legible. One descendant claimed Speights usually had a "very stern look, wore a mustache, had black hair and black eyes." The only photograph of him, made during the Civil War years, and the long gun he owned have been lost through the years.

Certainly surviving the shooting by Hardin must have been Speights' great moment of glory. Little else is known about him. The burning of the Sabine County courthouse in 1875 destroyed valuable records. Further details of his life probably went up in smoke. In 1880, when the Sabine County census was made, he was listed as a laborer, boarding on the William P. Polley farm. On July 17, 1883, in Greenville, Hunt County, he married widow Emily Jane Mashburn Bourland, the daughter of Joseph H. and Loucretia Mary Blake Mashburn. Emily Jane, known to family as "Emma," had one child from her first marriage, so John Henry Hopkins became an immediate father. The Speightses gave eight children to the world, their births ranging from 1884 through 1899. All were born in Hunt County.

Other than this genealogical information, Speights' life and career remains basically a blank. He died on September 4, 1900, when his last born child was still a toddler. Today, his five-foot-tall grave marker stands solidly in Wesley Chapel Cemetery south of Wolfe City, Hunt County, Texas.

Naturally, a western buff would have preferred that Hardin and Speights would have both shot it out in the dusty streets of Hemphill. Hardin says Speights ran. Maybe he did, or maybe Speights was more concerned about the bullet in his arm and not bleeding to death. Maybe he wasn't all that cowardly in running. Why trade shots with Hardin when you only have one good arm left? When we consider that he was probably completely alone against the traveler Conner, Hardin, and the Harpers, perhaps we should accuse Speights of having excellent judgment rather than showing cowardliness.

This confrontation with Policeman Speights is one of Hardin's better documented gunfights, providing a version other than Hardin's alone. We could speculate all day on Hardin's memory, how he remembered various details, names, and places, but perhaps we should be satisfied with the judgment that he had a good memory, as well as a good aim, most of the time.



Author's Collection

The grave of Texas State Policeman John Henry Hopkins Speights, a rare survivor of John Wesley Hardin's marksmanship.

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During the early morning hours of January 18, 1894, the opening scene of a series of grim tragedies was enacted. At Borden, in western Colorado County, Texas, a young man wearing a white hat and brown coat, armed with a .45 Colt's pistol, was forcibly put off the westbound Raymond & Whitcomb excursion train by the conductor. He had not paid the train fare. Angry over this treatment, the man picked up a rock and threw it through one of the windows. Not content with this, he

BRADDOCK AND K

Two of Texas' Worst

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then fired his pistol into the sleeper. Fortunately no one was hurt. The train then continued a few miles down the road, arriving at Weimar at about two o'clock. Here the incident was reported to Mayor H.E. Carey, and the arrest of the perpetrator was demanded.

Furnished with a description of the man, Mayor Carey, with City Marshal Hatch York and several other town officials, hurried down the tracks. They quickly discovered the culprit and took him into custody, disarming him of a pistol that was found to have one empty chamber, recently discharged. He was locked up in the Weimar jail to await an examining trial before a Judge Hancock. The prisoner's name, it was soon learned, was Dee Braddock. Although he openly boasted to them that he was the slayer of two men, little did the town officials realize just how dangerous he really was.

According to the 1880 census of Fayette County, Texas, Dee Braddock's given name was DeWitt. The same source gives his father's name as "D. Braddock." The senior Braddock was also known as "Bud," and since court records refer to his wayward son as "D. Braddock, Jr.," his correct name must have been DeWitt as well. A native of Alabama, Bud Braddock had relocated in Texas as a farmer by 1865, which was the year his wife Sarah (or Carrie) bore their first child, Robert. By 1870 they were farming in Fayette County on a place located "between Halletsville Road and Buckner's Creek." The 1870 census, dated November 23, shows that Dee was born that year—the census enumerator noted his age as three months and identified him merely as "Babe."

By 1880 the Braddock family was living in the town of Flatonia, where they continued to reside during the 1890s. As shown by the 1880 census, Bud Braddock was a stock dealer as well as a farmer. In all he would father about seven children, but it was his second son, Dee, who, through his notoriety, brought the name of Braddock into prominence for a short time. Dee was barely out of his teens when he had his first encounter with the law, but after that he quickly moved from minor offenses to becoming known as a mankiller.

It was in 1891, at the age of twenty-one, when Dee killed the two men he later boasted about. The two victims were black men, two brothers named Anthony J. and Jim Brownlow. They were living and working on Bud Braddock's farmland, located about four miles northeast of Flatonia. The trouble between Dee and these men dated back about one year prior to his fatal encounter with them. At that time he had had some kind of a difficulty with Jim Brownlow and another man named Ivy Jackson, after which John Lofton overheard Dee say, "I will get the son-of-a-bitch yet."

In 1891 Bud Braddock was also renting his farm out to William Fitzgerald. The house was a two-story structure. Fitzgerald lived on the upper floor with his wife, Bettie, and their six children, while on the ground floor lived the three Brownlow brothers and others of that family. The brothers were sharecropping with Fitzgerald and during that summer a dispute arose over a cotton crop, causing a great deal of ill feeling between the downstairs and upstairs neighbors.

One Friday evening, after work, the Brownlows were in a surly mood. Upstairs, Bettie Fitzgerald was alone with the children, her husband being temporarily absent. She observed one of the brothers walk back and forth across the yard several times, carrying a shotgun, after which he sat down in the door and "cussed considerably." Anthony Brownlow then came to the door and made a remark that he was going to kill "a man in less than two weeks anyhow."

The next morning, August 22, 1891, George Brownlow walked out

By Gary P. Fitterer

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into the yard with a pistol in the waistband of his pants and a shotgun resting on his shoulder. Bettie Fitzgerald watched very anxiously, for some of her children were at play in the yard.

"What shall I shoot?" George called to his brother, Anthony.

"Just anything," came the reply.

"Shall I shoot a dog, a chicken, or what?"

"Just anything," Anthony repeated.

George then fired the shotgun across the yard at a peach tree, after which he sat down in the doorway with his pistol in his hands. Just then, the little Fitzgerald boy was dragging a trunk lid across the yard to use as a slide. George leveled the pistol at the child and commanded him to put down the lid and go inside the house. This frightened Mrs. Fitzgerald so badly that she decided that she was going to take her children and leave the place. Dee Braddock was out in the field working that morning, and she sent her two little girls, Susie and Ida, out to bring him to the house. Upon his arrival, he went upstairs and she told him what had occurred, asking that he get someone to stay with her until her husband's return. Dee attempted to allay her fears, but she told him she would not stand for it.

Braddock then left, but returned to the house a short time later with a Winchester rifle. Standing outside he called out to the Brownlow brothers, who were inside eating breakfast at the table. "What in the hell is all this racket going on around here for," he demanded. This brought Anthony Brownlow to the door, whereupon Dee asked him what they meant by scaring Mrs. Fitzgerald "nearly to death."

Angered by Braddock's intrusion, Anthony Brownlow quickly stepped outside. "Dee, what is that to you?" he said excitedly. "I am in my own yard." Pointing, he said, "Here is the line of my yard. This side belongs to me and this [side to] Billy Fitzgerald."

"I know you are in your own yard," Dee replied, "but you ought to behave and not scare Mrs. Fitzgerald. I want so much cutting up around here stopped."

At this point, Jim Brownlow, who was standing in the doorway with a white-handled pistol, cried out, "By God, Dee, what do you mean!"

At the same time Anthony growled, "I cut-up as much as I please on my part of the yard and in this house."

Jim Brownlow then told Dee, "You are a damned fool"; whereupon, according to Mrs. Fitzgerald, he immediately threw his pistol down on Braddock and opened fire, getting off two shots before Dee could return fire. But, according to Delia Brownlow, Anthony's wife, Dee shot Jim first and when Anthony turned to run back into the house, Dee shot him also. Then, as Jim also attempted to escape into the house, Dee shot him again, in the back. He was killed instantly. The third brother, George Brownlow, then shot twice from the house at Braddock, who also fired twice in return. This exchange was harmless, but it ended the fight. Anthony Brownlow, who had been fatally wounded, lingered for about a half an hour until he, too, expired.

A warrant for Braddock's arrest was sworn out and placed in the hands of Constable R.H. Richardson, but Dee went to Flatonia and voluntarily surrendered. He was indicted on two counts of murder and his bail was set at $2,500 in each case. On December 17, 1891, Bud Braddock and M. Cockrill signed his bonds as sureties in both cases and Dee was released. Swearing that he had acted in self defense and pleading not guilty, Dee was tried at LaGrange a year later and acquitted of the murder charge in one of the cases on November 29, 1892. As a result of this acquittal the district attorney announced that he would no longer prosecute the defendant in the second case, which was then ordered stricken from the docket.

After being cleared of these murder charges, Dee Braddock continued living on the edge of trouble. Apparently he liked to toot his own horn about the two black men he had killed. He also preferred to associate himself with other disreputable characters, who, no doubt, congratulated him for a job well done. He was suspected of several crimes, but nothing could be proved against him. As an example, in the fall of 1893, he was arrested for an attempted train robbery committed near Flatonia, but he provided an alibi and was released.

One of the worst characters Dee associated himself with was Henry H. Moore, a man who had been involved in a number of unsavory affairs, including murder and assassination. Moore was a woodcutter by profession, but by reputation he was known as a bully and a gunman. He was one of numerous unscrupulous specimens that populated the so-called "Eagle Lake bottom" of Colorado County, Texas. The bottom was located south of the town of Eagle Lake and here much of the activity—drinking, gambling, fighting—centered around Frazar's Store. Considered one of the most dangerous of those hanging out at Frazar's, on February 28, 1888, Moore shot and killed Frank Ricord. He later claimed the man had insulted his wife, reason enough to win him an acquittal in a trial held three years later.

Less than a month after the Ricord slaying, Moore was involved in another shooting. On March 24, 1888, two black men named Jack Williams and Davis Green got into a fight at Frazar's Store. Green, who was drunk and had started the quarrel, drew a Winchester and mounted his horse, threatening to shoot the other man. Arthur McDow, who had ridden in with Moore, walked up and grabbed the rifle by the muzzle and yanked it from Green's grip. Unfortunately, this caused the weapon to discharge into his thigh and he fell on his back with the rifle still in his hand. "Kill the damned son of a bitch," he yelled to his friends.

Moore and A.H. Lehman, a blacksmith, drew their pistols, while A.J. Downing, the store's bartender,

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grabbed Green's own Winchester. As the three men opened fire on him, Green attempted to ride off but he was shot in the back and fell from his horse, dead. Another black man, Dennis Winslow, was hit by a stray bullet and was also killed. Moore, Lehman, and Downing were all indicted on two counts of murder. A further development to this story was the murder, a few months later, of a black tenant farmer named Henry Garner, who was one of the prosecution's key witnesses against Moore and his pals. On July 9, he was shot down by two gunmen named J.W. Durham and Gus Simpson, both of whom were close friends of Moore. It was later established that the rifle used by Durham in this murder belonged to Henry Moore.

The murder of Garner brought Colorado County's longtime sheriff, James Light Townsend, to the scene to investigate. The controversial Light Townsend was not a man to mess with, having proved his mettle on several occasions in the past. Just two years earlier, in October 1886, at Columbus, he had shot it out with a desperate horse thief named Bob Johnson, killing the outlaw after being himself shot in the leg.

Although the slayers of Garner had fled the area, a description of them sent by Sheriff Townsend to Galveston paid off. A few days later, Deputy Sheriff S.N. Birard, of Montgomery County, Texas, spotted them near Willis. The two gunmen were both armed with pistols and Winchesters and were carrying 300 rounds of ammunition, but this did them little good in a face-to-face confrontation with officers. They were taken without a fight and handed over to Sheriff Townsend on July 15.

Durham and Simpson were convicted of murder and sentenced to prison, but not their good friend, H.H. Moore. Their elimination of key witness Henry Garner was apparently of some benefit to Moore, Lehman, and Downing—these three were not convicted of murder, but of the lesser offense of assault with intent to murder. Sentenced to two years each in the state penitentiary, a petition for a new trial was sent to the Texas appellate court, which ruled in their favor. Subsequently, in March 1890, the charges against them were dismissed, because one of the key witnesses had died.

In September 1890, the regular crowd hanging out at Frazar's Store decided something had to be done about three itinerant cotton pickers from Caldwell County named Robert Mills, Charles Armstrong, and Robert Wyatt. These men, who were white, had grown in disfavor with the store regulars because of their frequent habit of drinking and gambling with their black and Mexican coworkers. The trio had quit working for Foard Frazar after having "loud words" with him over a "ragged row" of cotton they had picked for him, after which they had gone to work for Shelton Martin, a black man. A number of the regulars, Foard Frazar, Harvey Vineyard, Ike Langston, Tom Mason, Lawrence Williamson, Harry Bowers, H.C. "Clay" Cabiness, S.P. Moore, and H.H. Moore, got together and decided that the three field workers needed a good flogging to teach them a lesson. The evening of September 29 was chosen as the time of punishment and masks were fashioned to disguise their identities.

Riding to Shelton Martin's place, where the three men were sleeping, two of the mob woke Martin up. They inquired if Mills, Armstrong, and Wyatt were inside and were told that they were, as were several other workers, all blacks. Although the two men wore masks, they were easily identified as Henry Moore and Foard Frazar. Moore's mask actually fell off at one point, so there was no doubt about his identity whatsoever. He appeared to be the leader.

Moore and Frazar woke up the three white men. The resulting commotion also awoke the black workers, who became so terrified by the drawn pistols in the hands of masked men that one of them, Sam Ballinger, crawled up the chimney to get away. The three white men had time enough only to grab their clothing before being herded outside to where the rest of the mob waited. Once outside they were allowed to get dressed and then they were ordered to march in the direction of a wagon. As they did, Bob Wyatt, who was in the lead, suddenly broke and made a run for it. The mob ordered him twice to stop, but he continued to run. There was shouting, then a number of shots rang out and the fleeing man fell in the nearby cotton field, seriously wounded. According to Bob Mills, another of the three victims, Wyatt was shot down by Henry Moore.

"Let's kill all the sons of bitches," shouted one of the mob.

Moore immediately shot Charlie Armstrong, who fell as if he was dead, and then Moore shot Bob Mills through the chest. Mills made a run for the field, was hit again in the elbow, and collapsed in a nearby cotton patch. While members of the mob went looking for him, Armstrong, who had been playing dead, sprinted away unseen. Moore's bullet had passed through his right arm, struck him in the ear, and had

"Let's kill all the sons of bitches," shouted one of the mob. Moore immediately shot Charlie Armstrong, who fell as if he was dead, and then Moore shot Bob Mills through the chest.

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lodged in his neck, a painful but not fatal wound. While he was escaping, the mob failed to locate Mills in the dark, but their first victim gave himself away. Wyatt, apparently in great pain, was groaning so loudly that he could be heard out in the cotton field by Shelton Martin from inside the house.

"Oh Lord! Here I am, men," Martin heard the unfortunate man cry out. "Come and give me a drink of water and finish me, for you have about killed me already."

Wyatt did not get his drink, but someone in the mob obliged him of his other request by walking up to him and shooting him two more times. One of the bullets made a fist-sized hole in his head. The mob, satisfied with their night's work, warned Martin not to tell what he had seen. Then, riding off at a gallop, they returned to Frazar's Store for another bottle of whiskey.

The crowd at Frazar's either believed they had killed all three of their victims or were too drunk to care. They were unaware that Armstrong and Mills had both survived and were not afraid to talk. Sheriff Light Townsend quickly learned the names of the mob, and soon Moore and his pals were all guests of the county jail. Denied bail, Moore led an attempted escape in January 1891, but Townsend caught his prisoners in the act of sawing the lock off the cell door. Despite his initial vigilance, the sheriff soon lost his prisoners. Because of the great notoriety of the crime and the people's ill feelings against the murderers, the case went to Fayette County on a change of venue. The prisoners were then removed to the jail at LaGrange to await trial.

Moore's trial was a lengthy affair, during which it could not be proved with any certainty that he had been present at Martin's place the night Bob Wyatt was murdered. He was, therefore, found not guilty on December 23, 1891, walking out of the courtroom a free man just in time to enjoy the Christmas holiday with his family. The cases against the other mob members were summarily dismissed. Soon afterwards Moore moved to a farm near Spanish Camp in northern Wharton County. It could have been a new start for him, but like many another desperado he was hard of learning. Six months later, he was back to his old tricks when he shot and wounded a man at Eagle Lake. At about this time he and Dee Braddock found each other. Possessing similar minds, the two just naturally gravitated to each other, forming a partnership for mutual self preservation.

ON JANUARY 18, 1894, the evening of his capture, Dee Braddock was the only prisoner in the Weimar jail. Throwing a rock through a train window and firing his pistol into one of the cars were not serious crimes compared to those he was about to commit. Dee was feeling pretty desperate that night. He had no intention of remaining in jail any longer than he had to.

At about six o'clock, Constable A.M. "Mose" Townsend, accompanied by a small black boy, brought the prisoner his supper. The officer, two years younger than the twenty-four-year-old Braddock, was a son of Captain T.L. Townsend and a nephew of Sheriff Light Townsend. He was also a married man. As yet, his experience as an officer of the law was limited. The year before he had unsuccessfully campaigned against the able and experienced Hatch York for the position of city marshal of Weimar. His brother, Tup Townsend, had been elected constable of one of the precincts in 1892, but had died in June 1893, after his horse fell on him when he accidentally ran the animal into a barbed wire fence. Mose had then replaced his brother as constable.

His inexperience showed in his careless misjudgment of the character of Dee Braddock. Mose had to open the door to the steel cage in order to hand Dee his meal. He did so without taking any precautions. Earlier, when the prisoner had been searched for weapons, none had been found. But now, suddenly, Dee stepped up to Mose with a knife in his hand.

"Give me your pistol," demanded Dee.

The young constable was both surprised and confused by the appearance of the knife. Mose told the prisoner "he did not do things of that sort," whereupon, "quick as a flash," Dee stabbed him in the breast. Dee then rushed out of the jail into the street. The mortally wounded officer pulled his pistol and staggered after him.

Emerging from the jail, Mose managed to fire one shot at the fleeing man but was too weak to shoot again. Three men came running to his aid. He gasped to them that his prisoner had just stabbed him and was escaping down the street. One of the men took Mose's pistol and fired two more shots at the figure running away but missed.

The darkness and falling rain obscured Dee's flight from town. He ran in a westerly direction through the residential part of town, then turned south. Outside of town he stole a horse and a bridle (but no saddle) from the Boettcher farm. By 10:30 he had reached Oakland, about ten miles south of Weimar. Unknown to Dee, Mose Townsend had died from the knife wound a half an hour earlier. Braddock was now a cold-blooded murderer. About midnight he was seen near Allen's gin, riding in the direction of Sublime in northeastern Lavaca County.

Mose Townsend had been a very popular officer and citizen. Large numbers of enraged citizens from Weimar were soon scouring the countryside in all directions, searching for his slayer. A dispatch to the Houston *Post* stated that "the feeling against the murderer here is at fever heat, and in case he is captured he would perhaps be safer in the Austin jail than he would in the hands of the friends of Constable Townsend, his victim." It was a cinch that, if he was returned to Weimar, Braddock would be immediately lynched.

From Columbus, Sheriff Light Townsend led a posse in pursuit of his nephew's murderer. Arriving at

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Weimar by train, the posse continued on to Flatonia, where they reached the home of Bud Braddock on the morning of January 19. Dee, however, knew better than to show up at his father's place. When officers spoke with the elder Braddock about his son, the man exhibited a fatalistic attitude concerning his son's eminent doom. He asked that his son not be hanged, and, if he should be killed, that the officers send him the body.

After an unsuccessful search of the countryside around Flatonia, the posse returned to town, where a telegram was waiting for Sheriff Townsend informing him that a horse had been stolen southeast of Weimar and the thief was headed for Wharton County. The thief was believed to be Dee Braddock. Townsend and his party boarded a Southern Pacific freight train at about five o'clock and headed back east. That evening, Sheriff Hamilton B. Dickson, of Wharton County, received a telegram from Townsend, stating that Braddock was probably at H.H. Moore's place in upper Wharton County. Dickson left Wharton at once with two deputies to investigate the Moore place, but no trace of the fugitive was found there. Regardless, Townsend was certain that Braddock was hiding somewhere in the vicinity.

In the meantime, a report was received by Deputy Sheriff O. Swift, of Cuero, Texas, that Braddock had been seen on the border line of DeWitt and Gonzales counties. The deputy notified Sheriff Robert M. Glover, of Gonzales County, and then joined that officer's posse in a search for the fugitive. Swift also telegraphed Sheriff John J. Seale, of Karnes County, who joined Glover's group at Riddleville on the evening of January 30. Their effort, however, proved a waste of time.

Despite all the manhunting activity, Dee Braddock remained elusive. The furor of the hunt soon died down, but the relentless Sheriff Light Townsend was not about to give up. Quietly, he continued his investigation of the killer's whereabouts. He remained convinced that Braddock had sought a hiding hole somewhere near Henry Moore's place in Wharton County.

In early February, Townsend turned up what seemed to be a hot lead. On February 5, he wrote Sheriff Dickson at Wharton, informing him that he had learned that Braddock was supposed to have gone down the Colorado River on a specific day. And the outlaw would have, except for the fact that he had gotten lost in the river bottom and had not gotten very far. "I have another scheme on foot that may work all right," he wrote. He asked Dickson to keep "mum" and not even say a word to his deputies, that as far as anyone else should know, "we have given up any further search." He further suggested that he and Dickson should "lay still on our oars a few days, [and] in the mean time, keep eyes open for anything that may turn up. In case I want you to meet me, and you receive a telegram to this effect: 'Everything busted—blow off the dogs,' take the first train and come to Rosenburg and stay 'till I come, if I am not there when you arrive—and we will have some fun (if I ain't a fool)."

Two days later, on February 7, 1894, Townsend was ready to move. He had learned that Braddock was definitely being sheltered by Henry Moore. The killer was keeping out of sight in the river bottom on the east side of the Colorado near the town of Egypt, and Moore was reportedly keeping Dee well supplied with food by sending a black man as a carrier. Townsend telegraphed Sheriff Dickson to meet him at Northington's store at Egypt at one o'clock. Townsend had brought with him Deputy Sheriffs Sam Houston Reese and W.E. "Dick" Bridge; accompanying Dickson were Constable C.W. Heartt and El Campo Deputy Sheriff Gordon.

Henry Moore just happened to be in town. As a precaution, he was arrested before the posse set off and placed in confinement at the store. What the officers did not know was that Moore had already sent word to Braddock, warning the fugitive of their presence.

Riding out from Egypt in the direction of Braddock's hiding place, the posse soon came upon a black man named Thornton Fry, who was on his way to Northington's store. Feeling suspicious of the man, Townsend and Dickson took him into custody, forcing him to accompany them. Fry began to grow nervous as the posse moved closer to the river bottom. He soon confessed that he was acting as a courier between Moore and Braddock, and he could lead them to the exact thicket in which the wanted man was hiding. He neglected, however, to inform them that he had just come from that very thicket; he had spoken to Braddock and warned him of their coming.

The posse arrived at the thicket at about three o'clock that afternoon. To continue they had to dismount and go on foot. Posting their deputies around the thicket, the two sheriffs warily entered the dense brush, with Dickson leading the way. After progressing deeply into the thicket Dickson turned suddenly and beckoned to the other officer.

"Come here, Townsend," he said in a low voice.

He was looking at a slicker which had been fashioned into the form of a man at the base of a tree. Just then a shot rang out from one side of the decoy, then a second. Dickson clutched his breast.

"Townsend, he has shot me!"

Dickson then fired one shot in return and collapsed. From behind the fallen officer, Townsend spotted the killer, who was fortified behind a log. He began firing rapidly at the outlaw with his Winchester as Dee returned his fire, shot for shot, also with a Winchester. Townsend later gave a dramatic description of the duel with rifles: He and Dee exchanged seven shots apiece, he said, at a distance of about sixty-five yards. From a kneeling position he banged away at Dee, who lay behind his log "with his head reaching over so as to see how to shoot." The outlaw was said to be a dead shot, but Townsend hit him early on, and Dee

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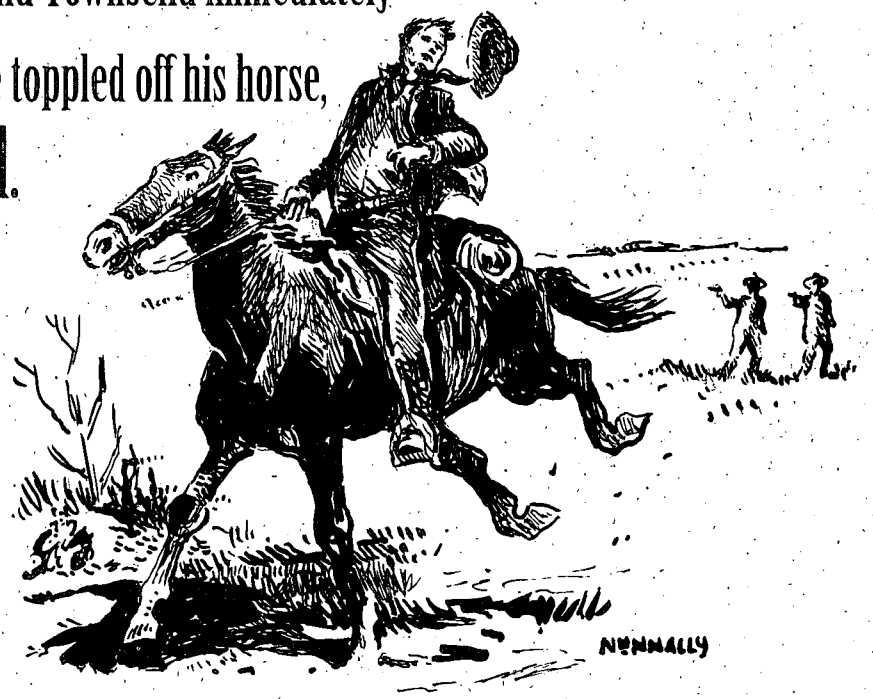
Both Heartt and Townsend immediately returned fire, and Moore toppled off his horse, dead.



was unable to fire effectively. According to Townsend, the outlaw's "bullets whistled very close to his head." Dee, on the other hand, was hit five times about the head and neck. Townsend's last shot tore the top of his head off.

Examining Dickson, Townsend found him still alive, but just barely. He called out for assistance to the other posse members, who were still waiting expectantly at their positions outside of the thicket. They met him a few minutes later as he emerged from the thicket. Townsend was then amazed to learn that the deputies had sent the outlaw's courier, Thornton Fry, to Northington's to get help. This was a mistake, and Townsend realized it. While the deputies went into the thicket to carry Dickson out, Townsend took Constable Heartt and hurried after Fry.

Reaching the store well ahead of the officers, Thornton Fry, on some pretext, managed to get Moore out of Northington's custody. Not knowing for sure what had occurred back at the thicket, Moore grabbed Fry and set out to go to Braddock's aid. He was on his way down to the river bottom as the two lawmen were coming up from the thicket. They spotted him first.

Apparently before Moore became aware of Townsend and Heartt, he was heard by them to say to Fry: "They have killed Braddock, but I am going down there and show them I am not a coward."

Then, upon seeing the officers, Moore stopped his horse. As they rode up, he unbuttoned his vest and reached in with one hand. Heartt "ordered him under arrest," but the gunman quickly drew a pistol from his opened vest, instantly firing a shot at the constable and wounding him slightly in the right leg. Both Heartt and Townsend immediately returned fire, and Moore toppled off his horse, dead.

Back in the thicket, the deputies found that Braddock had been well cared for. He had an ample supply of provisions, and the Winchester, still in the hands of his corpse, was found to belong to Henry Moore.

There was not enough time to bring aid to the wounded sheriff or to get him out of the river bottom to a doctor. Hamilton Bass Dickson lived only twenty minutes after being shot. His body was taken to the house of Judge W.A. Northington at Egypt. Born in Mississippi, the thirty-eight-year-old sheriff had grown up near Shiner, Texas. He had been a popular man and he had married his sweetheart just a few weeks prior to his death. When he was buried at Wharton two days later, "not less than 800" people attended his funeral. His popularity was such that he was later honored with a monument on the courthouse square at Wharton.

Sheriff Light Townsend did not survive much longer. His end was also tragic, although it did not come about through violence. In early November, while he was once again campaigning for the office of sheriff of Colorado County, he ate some contaminated canned oysters. On election day, November 6, as he defeated his opponent at the polls, he lay in bed critically ill and unconscious. For a time it appeared that he was about to recover from the poisoning, but suddenly he was overcome by meningitis. He died on the morning of November 12, 1894, never knowing that he had been reelected. A special train carried his body to Weimar, where he received a burial in Masonic Cemetery.

In compliance with Bud Braddock's request, on February 9, 1894, officers shipped Dee's body home to Flatonia on the four o'clock train. Bud buried his wayward son without ceremony somewhere near town. Perhaps Dee's final resting place was an unmarked grave out among his father's cotton fields. The rock, thrown by Dee through a train window, which had brought about the untimely deaths of himself and three other men, was preserved as a souvenir for a number of years by a railroad employee. Eventually, it, too, disappeared into the limbo where so many objects of historical fascination wind up.

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LIFE HISTORY OF COLONEL N.A.M. DUDLEY

By Don Cline

One of the most controversial military figures to emerge from the West, particularly the Lincoln County War, was Lieutenant Colonel N.A.M. Dudley. Who was this enigmatic man? What was he like? What drove him to become so disliked by his superiors?

He was a confirmed alcoholic, incompetent as an officer, deemed unfit to command, and arrogant. He constantly refused to obey, or follow, military and presidential orders.

Nathan Augustus Monroe Dudley was born on August 20, 1825, to John Dudley of Lexington, Massachusetts, and Esther E. Smith of Danvers. He enlisted in a volunteer military group in 1848, after an unsuccessful stint as a merchant. He crossed the Rocky Mountains eleven times, nine with the United States Army. Even then he was well traveled.

After many trips to California he spent nine months in the Sandwich Islands, studying military tactics. All of 1852 and part of 1853 he examined military training and installations throughout Europe. On March 3, 1853, he was promoted to first lieutenant of the Tenth U.S. Infantry and commanded a company during the Sioux Expedition. On September 3, he saw combat at the Battle of the Blue Water. On April 19, 1854, at Platte Bridge, he led an attack with only thirty men and one officer against a village of 400 Cheyennes. He captured five chiefs, all lodges, horses, and other booty. Although he was selected for a proposed three-year campaign in Utah in 1861, the military action was later canceled.

By February 8, 1862, Dudley was in the Thirtieth Regiment of Massachusetts Volunteers. He was stationed at Ship Island, in New Orleans on March 22 and was appointed assistant military commander on May 8. Dudley soon resigned his position for another command in Baton Rouge, where he engaged in his first battle of the Civil War on August 5. Six days later, he found himself commander of Camp Parrapel, and later Camp Williams. Then, somehow, his outstanding record seemed to pale. At Vicksburg he lost 906 out of 1,000 men during the twenty-eight-day engagement, apparently due to his inability to follow orders and his attempts to make a name for himself. He was noticed and, for a while, was posted as the inspector general of the Department of the Gulf. This was a desk job, however, and field promotions were impossible to attain. Dudley became bored and requested to be returned to a brigade. Although married, he was obsessed with military life and had not taken a single day of leave during nine years of service.

Naturally, the subject of using former slaves as soldiers arose during the Civil War, and most Union officers, including Dudley, were opposed to the idea. Racial discrimination was as widespread in the North as it was in the Confederacy. Even President Abraham Lincoln was initially opposed to the idea because he felt slavery was a state's right not belonging to the government. He had to change his mind because of the heavy casualties the North had been experiencing. An example of his dislike of the slaves is evident by his orders allowing slave catchers to freely cross Union lines to capture runaway slaves. He also issued a general order forbidding Union troops to allow slaves to cross into Union

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Author's collection

Lieutenant Colonel Nathan Augustus Monroe Dudley.

Dudley was to advance no farther but as usual, he disobeyed and ordered an advance of three-quarters of a mile past the ordered position. This exposed his own troops, and those of General Weitzel, to counterattack.

territory. Lincoln's feelings extended down the ranks as evidenced by one federal military officer's order to reduce the number of slaves working and residing on military posts. The order forbade black, female laundresses from entering the quarters of the men to pick up or deliver laundry. Henceforth, all laundry would be picked up and delivered by the soldier. Any violation was punishable by dismissal from the service. Records show many officers witnessed slave catchers capturing slaves on military posts, aided by freedmen, and they were warned not to interfere in such situations.

As Union casualties continued to mount, Lincoln was finally forced to enlist former slaves in 1863. He knew the only incentive a slave would fight for was freedom—thus the Emancipation Proclamation was born.

In 1863 the Department of the Gulf recommended that Dudley be promoted to brigadier general of Volunteers, as their general-in-chief, on May 15. Due to his drinking problems, inability to follow orders, and his incompetence in combat, the promotion was rejected. His name was later resubmitted, with the same results. Dudley had become too well known in Washington. He was despised by his men, and his unit had the highest desertion rate.

He was also known to force junior officers and influential civilian friends to sign petitions and letters urging Washington to promote Dudley. This was a policy he followed even after his forced retirement.

It did not please Dudley to receive orders to integrate black troops into his brigade, and he often voiced his opposition in public places. Many officers threatened to resign and entire regiments said they would desert if black troops were implemented.

Dudley became too vocal on the subject at an officer's ball and stated black units should be led by white officers; slaves were too uneducated to cope with daily reports and volumes of paperwork. They lacked military training, and had never owned or fired a gun in their lives. Word of these remarks reached Washington, and Dudley was forced to write a letter of apology to Senator Henry Wilson, chairman of the Military Committee, expressing his "deep regret" for his statements and his sudden "newfound support" of the 3,000 blacks recently integrated into his brigade. The black unit was known as the Corps d'Afrique. Following the bootlicking, Dudley boldly solicited Senator Wilson for a higher promotion. The Battle of Lafourche, however, was still on the minds of those in Washington. Dudley had been drunk, as usual, and disobeyed a general's orders which cost not only the battle, but valuable equipment and many soldiers as well.

In a Union general's listing of colonels commanding various brigades lies a letter outlining that battle. It states that Dudley was roaring drunk when ordered by a General Weitzel to advance a half mile and stop in order to protect the general's flank during the main attack. Dudley was to advance no farther but as usual, he disobeyed and ordered an advance of three-quarters of a mile past the ordered position. This exposed his own troops, and those of General Weitzel, to counterattack. Not only was General Weitzel unsuccessful, but Dudley was also soundly defeated. His losses included two artillery pieces and 350-400 men, either dead, wounded, or missing.

Although Dudley's actions and behavior were witnessed by members of General Weitzel's staff and an artillery commander, no charges were brought against him. Weitzel, however, expressed his disgust at Dudley's lack of military bearing and stated that Dudley was totally incompetent to command.

When the war ended, the military was left with a surplus of unneeded officers. Most were either reduced in rank or discharged. This occurred to George Armstrong Custer, as well as Dudley, but Dudley did not take it as well.

When Custer and other outstanding officers were ordered to command black troops they refused; rapid promotion came only on the battlefield and black troops were usually used as labor units. They felt it a waste of their careers, never mind the fact that any white officer captured while commanding a black unit would be shot on the spot by the Confederates. Why Dudley did

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not join them remains a mystery.

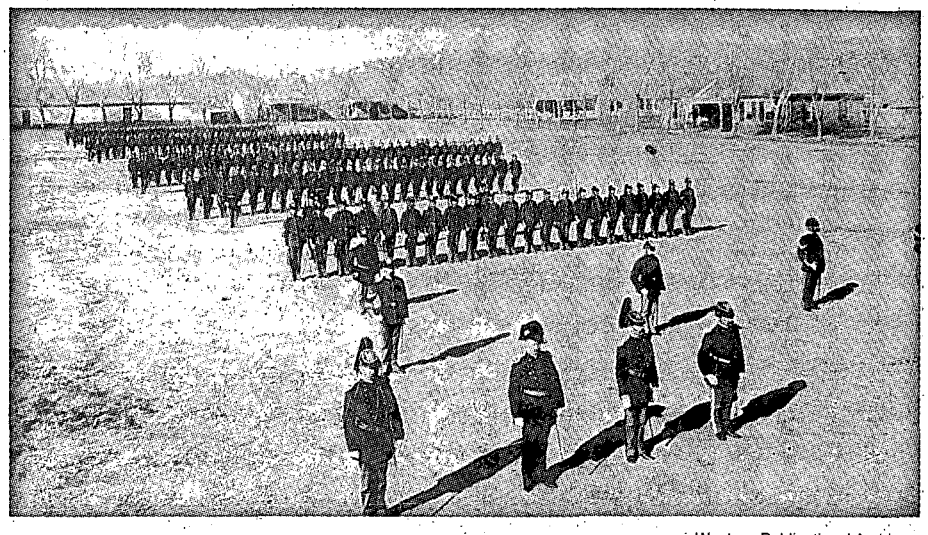
Constant use of alcohol may have eroded Dudley's mind until he could not remember the actual date of his birth. When he left the Volunteers to enter the regular army, he stated his age as twenty-nine, and claimed he entered the regular army on March 23, 1855. During the Civil War it was decided to compile a history of Dudley's unit. The regimental historian requested Dudley's military career and his birth date. As the new date made a difference of a year, the regimental historian requested an explanation.

Dudley's reply was that he had recently visited his family and the conversation turned to their ages. His siblings disagreed with the age Dudley gave, so his sister, Mrs. George Fowle of Jamaica Plains, Massachusetts, brought out the family Bible. Only then was Dudley surprised to discover he had been born in 1825, not 1824 as he had thought.

Dudley had the reputation of harsh methods of discipline which resulted not only in poor morale but one of the highest rates of desertion in the army. An investigation ensued, which Dudley quickly countered by forcing his junior officers to sign letters supporting his harsh disciplinary methods. Brevet Colonel John Moore admitted that while the desertion rate was unusually high, he tended to lay the blame on poor recruiting methods by officers who "Should have examined the enlistees more closely" and not upon Dudley's actions.

Dudley's military records disclosed that in 1866 Senator Henry Wilson wrote Secretary of War Edwin M. Stanton, requesting that Dudley be authorized to raise another black brigade. Wilson stated he hoped Stanton would then elevate Dudley to brigadier general. As expected, Dudley assisted by having his junior officers flood Stanton with letters urging the promotion. One letter alone was signed by twenty junior officers. He was again unsuccessful

The first noted leave of duty



Western Publications' Archives

In lieu of punishment for several military infractions, N.A.M. Dudley was appointed commander of New Mexico's troubled Fort Stanton.

Dudley took was listed in his records as 1876. He had taken a three-month's leave, which was to expire on November 5, when he was to report to Fort Union, New Mexico, as its commanding officer. He didn't show up until November 18 and was considered "To be absent without authorization from Exp. of leave to November 18th." Although he was not punished for this transgression, his character would not allow him to go long without breaking military laws.

While at Fort Union he was charged with sixteen counts of infractions including drunkenness while on duty, slandering the character of the district commander and refusing to obey his laws, harassment and imprisonment of civilians, and other offenses. He was finally found guilty of only four of the charges, while the remaining twelve were dropped as "It would not be in the best interest of the service."

The military, as usual, did not wish to hang its dirty laundry out for the public to see. It was decided his punishment would be dropped if Dudley would take command of New Mexico's troublesome Fort Stanton, in Lincoln County. Fort Stanton was the trouble spot of the territory, where failure for a commanding officer was commonplace.

General John Pope dispatched a letter to Dudley in March 1878, ordering him to report to District Commander Edward Hatch (whom Dudley had slandered and disobeyed while at Fort Union) for assignment to Fort Stanton. General E.R. Platt sent Colonel Hatch Court-Martial Order No. 14 informing him to remit the unexpired portion of Dudley's sentence and to place him in command of Fort Stanton. Dudley accepted the undesirable duty assignment on March 18. He then wrote his wife, Geneve, informing her that he had once again escaped justice and "affectionately" signed his name, "I remain Your Obt. Svt. N.A.M. Dudley, Sr., Colonel 9th Cav."

Dudley arrived at Fort Stanton on March 19, 1878, and assumed command the following day. The Lincoln County War was underway and Dudley admitted to district headquarters that he knew absolutely nothing about the war, or the present state of affairs. The outgoing commander had told him nothing; therefore he was left to form his own opinions.

The county problems had initiated with Lawrence (Laurence) G. Murphy, but were assumed by James J. Dolan on March 1, 1877, when Dolan purchased Murphy's Lincoln store and inventory. By the time Dudley arrived, however, the offensive faction led by Dolan was on the defensive and the opposing side, led by Alexander McSween, John S. Chisum, and the employees of the

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late John H. Tunstall, had become the aggressors. Therefore, Dudley wrongly assumed the blame of the matter was due to McSween, Chisum, and Tunstall's hired guns.

Claims have been made that Dudley sided with the Dolan faction, but post records show that Dudley did not support either side and once requested permission to ride into Lincoln and kill both factions and end the war. Fort Stanton records disclose Dolan requested assistance from Dudley and his troops on many occasions but was always refused.

Because he arrived late on the scene Dudley was unaware of the corrupt and fraudulent dealings of the L.G. Murphy Co., including swindling the government with the help of willing Indian agents. Dolan later assumed the relationships and dealings, while Murphy sat on the sidelines with terminal cancer. Dolan conspired with agents W.D. Crothers and F.C. Godfroy to continue the practice.

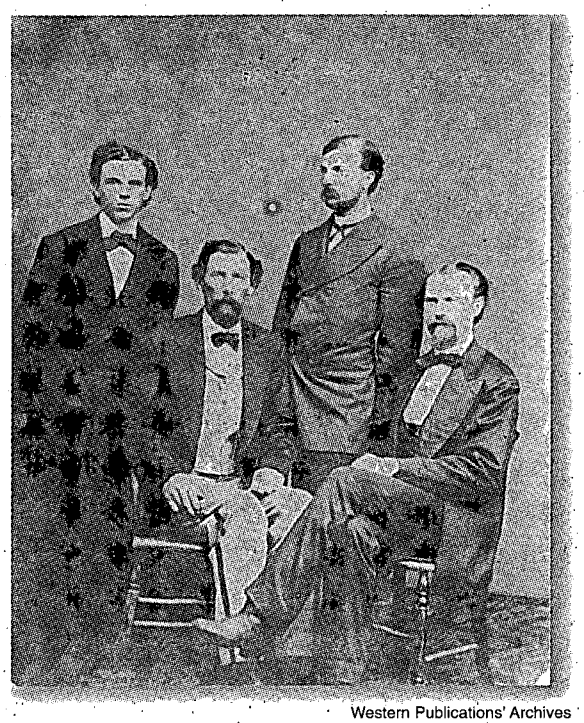
Dudley did not fare well as commander of Fort Stanton and county conditions did not improve from a military standpoint. As expected, he disobeyed the direct orders of President Rutherford Hayes, who ordered the military not to interfere in concert with, in any way, form or manner, civilian problems. Yet he did so at the final, disastrous battle at the Alexander McSween house in July 1878.

Therefore, in March 1879, District Headquarters of New Mexico informed the Department of the Missouri, at Fort Leavenworth, Kansas, that they "Had the honor to recommend Lieut. Colonel A.M.N. [sic] Dudley as a fit subject for the action of the Retiring Board...totally incapacitated for active field service."

Assistant Surgeon D.M. Appel of Fort Stanton agreed, as did Assistant Surgeon Carolos Caravallo of Fort Garland, Colorado, who had also served under Dudley at Fort Stanton. Both stated Dudley suffered from acute alcoholism, which impaired his mental faculties and prevented him totally incapable of making the most menial of decisions.

Dudley had a severe case of muscular rheumatism that was aggravated by any unusual exposure. He could hardly sit atop a horse. Secondary ills included back pains and neuralgia.

Although New Mexico Territorial Governor Lew Wallace supported the request that Dudley be retired, District Commander Edward Hatch refused to do so. Hatch said he could not comply "Without changing the notation of Lt. Col. Swaine, 15th Infantry, now commanding Fort Wingate. Otherwise he would have to locate and order another officer in his district to assume command." The quarrel was taken to the secretary of war, who sided with Hatch.



Western Publications' Archives

L to r: James J. Dolan, Emil Fritz, W.J. Martin, L.G. Murphy.

Since Dudley had disobeyed President Hayes' direct orders not to interfere in civilian matters by taking his troops into Lincoln during the fight at the McSween house, he was ordered to Washington to explain his actions. Again, no punitive action was sought against him.

The June 21, 1879, issue of the *Mesilla Valley Independent,* quoting an Arizona newspaper, stating that Dudley, former commander of Camp McDonnel in Arizona, had recently died in New Mexico. Dudley saw the article and wrote the editor a letter stating he was "a lively corpse."

Apparently, after many months, Washington changed its mind. In August, the Court of Inquiry reported to the advocate general its opinion: Dudley should be charged and ordered to trial over his disobedience at Lincoln, New Mexico. The judge advocate agreed and trial was set for the following October.

At that time, Dudley was already facing seven charges made by widow Susan McSween regarding Dudley's allegedly slanderous remarks concerning her morality (or lack of it). The comments had been published in the pages of the *Santa Fe New Mexican.* Additional charges were brought that Dudley had sent Lieutenant J.H. French and a detail into Lincoln, where an intoxicated French broke into Sue McSween's home, and others, and threatened them with abusive language; unlawfully arrested Sue McSween lawyer Houston Chapman; and allowed his troops to pillage the Tunstall store of more than $6,000 in merchandise following Alexander McSween's death.

Strangely enough, Dudley was not found guilty as it was, again, "In the best interests of the service." Although Brevet General John Pope disagreed with the verdict, his opinion was overruled in Washington.

The Sue McSween charges were tried in civil court at Mesilla, New Mexico. Further prosecution was declined because "It was not in the best interest of the service."

Because of these added embarrassments, Dudley's name was secretly submitted to the retiring board for dismissal from the service. He again went free, apparently due to his friendship with Senator Henry Wilson and others in

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Washington circles. He was restored to active duty.

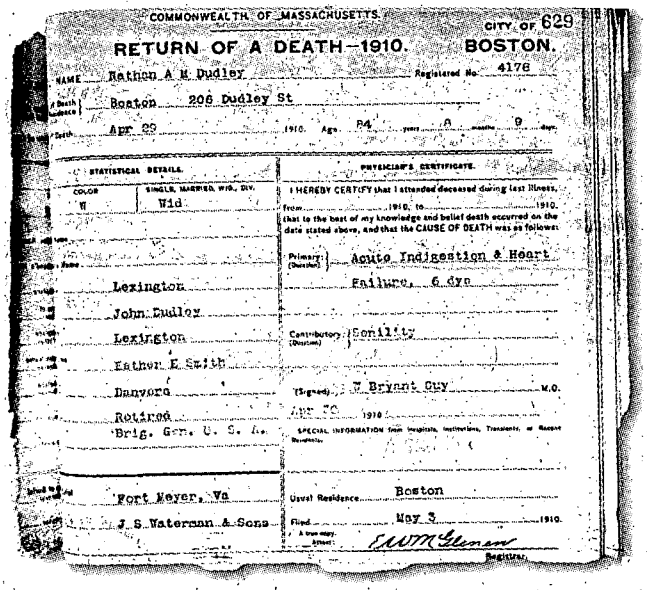
In December 1882, Dudley again found himself in trouble. A Lieutenant A.G. Budlong repaid a loan of money he had borrowed from Dudley. He later realized he had made an overpayment and requested return of the difference in a letter dated May 18, 1883. Dudley refused, for which Budlong complained to headquarters. Headquarters decided restitution should come out of Dudley's pay. Once again, friends in Washington convinced the secretary of war to reverse the decision in Dudley's favor.

On February 9, 1884, Dudley was shocked to discover his name listed in the *Army and Navy Register* of officers recommended for retirement commencing July 1, 1876, and ending on December 31, 1883. Dudley was livid that he had not been informed.

In January 1879, the department commander had requested a list of names of all undesirable officers of which the Army wished to rid itself. Dudley's name was near the top of the list.

Dudley lashed out with a written tirade to Washington, blaming all his ills on lack of support from District Commander Colonel Hatch. As punishment he was transferred to another post. He quickly got into trouble there.

In 1884, post trader and postmaster F.B. Houghton closed his outgoing mail bags promptly at 4:30 PM daily. On February 27, on or about 5 PM, Dudley strode in demanding the mail sack be opened in order to include his letter. Houghton refused. Dudley replied he would force him to comply by threatening him with the guardhouse. Houghton countered that Dudley had no authority to jail a civilian in a military guardhouse. Dudley suddenly became friendly and extended an invitation to meet him in his quarters. There he placed a guard at the door to prevent Houghton from leaving and greeted him with abusive language and further threats of arrest.


COMMONWEALTH OF MASSACHUSETTS. CITY OF BOSTON. 629
RETURN OF A DEATH—1910.
NAME Nathan A M Dudley Registered No. 4176
Place of Death Boston 206 Dudley St
Date of Death Apr 29 1910. Age 84 years 8 months 9 days.
STATISTICAL DETAILS.
COLOR W SINGLE, MARRIED, WID., DIV. Wid
Place of Birth Lexington
Father's Name John Dudley
Mother's Name Lexington
Maiden Name of Mother Esther E Smith
Occupation Danvers
Retired Brig. Gen. U. S. A.
Where Buried Fort Meyer, Va
Undertaker J S Waterman & Sons
PHYSICIAN'S CERTIFICATE.
I HEREBY CERTIFY that I attended deceased during last illness, From 1910. to 1910. that to the best of my knowledge and belief death occurred on the date stated above, and that the CAUSE OF DEATH was as follows:
Primary (Disease) Acute Indigestion & Heart Failure, 6 dys
Contributory (Disease) Senility
(Signed) J Bryant Guy M.D.
Apr 30 1910
SPECIAL INFORMATION from Hospitals, Institutions, Transients, or Recent Residents.
Usual Residence Boston
Filed May 3 1910.
A true copy. Attest: E W M Glenn Registrar.

N.A.M. Dudley's death certificate, dated April 29, 1910, lists the official cause of death as "Acute Indigestion & Heart Failure" with contributory senility.

Dudley ordered the trading post to be closed, although he knew full well he had no authority over the post trader and especially the U.S. Mail. Houghton recited Paragraph 3, Article 1, of Army Regulations, forbidding such action. Dudley was forced to back down but did close the southwest entrance instead as a "matter of principle."

Houghton reported the incident to Washington, which ordered Dudley to take a leave of absence to cool off. Again he overstayed his leave and was declared absent without leave. Because his pay was frozen Dudley requested he be ordered home to await a decision regarding his latest escapade and his pursuit of a higher promotion. Washington friends continued to plead his cause unsuccessfully.

In 1899, he saw the handwriting on the wall and retired at the age of sixty-four. He returned to Roxbury Highlands, in Boston, where he spent his time pleading for higher promotion. This time he was victorious. On January 18, 1905, he was officially promoted to brevet brigadier general. He was not to enjoy the fruits of his victory for long; on April 29, 1910, he died in Roxbury, Norfolk County. His death certificate attributed his demise to "Acute Indigestion & Heart Failure" with a contributing factor of senility. His grandson, Nathan Winthrop Dudley, was appointed executor of the estate. Dudley left one hundred dollars apiece to his servant, Susan Harvey, and his second cousin Cora B. Patridge, of Jamaica Plain; five hundred dollars to his friend, Mrs. Ida F. Kendal; and two hundred dollars to Mrs. Annie Dudley, widow of his son Granville W. Dudley. His solid silver and plated ware was divided between granddaughter, Lillian Gray Stevens, and Nathan Winthrop Dudley. Equal shares of his $5,000 life insurance policy with Aetna Life Insurance Company was divided among the grandchildren. A seven-diamond breast pin, china set, metal lamp, and a photo of himself taken by Chickering went to Lillian Gray Stevens. (Lillian Gray Stevens would also inherit $15,000 from the estate of the deceased Mrs. Geneve Dudley. This will was dated February 20, 1906.) Any residue of the estate was to go to Nathan Winthrop Dudley.

Internment took place at Fort Meyer, Virginia, by undertaker J.S. Waterman & Sons. At time of death Dudley was eighty-four years, eight months and nine days old.

Thus ended the life of one of the most controversial military figures in American history.

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TRUE WEST LEGENDS:

CRAZY HORSE (TASUNK

ca. 1840-42—Tasunke Witko is born near Bear Butte, Dakota Territory, to Sioux medicine man Worm, also called Crazy Horse, and Rattle Blanket Woman. Due to his light complexion and light hair, he is called Curly by members of the village.

ca. 1844—Rattle Blanket Woman commits suicide, while grieving the death of a relative.

1851—Curly is present at the Fort Laramie Treaty Council, in which the Sioux allow whites to travel their lands in exchange for a yearly supply of goods. Curly is given honors by his father for bravery exhibited in a horse-catching expedition in the Sand Hills and named Horse Stands in Sight. The name is rarely used, however, and he continues to be known as Curly.

August 17, 1854—A Mormon emigrant party is traveling an Oregon Trail pass, alongside a Brulé Sioux village, when one of its cows strays into the Sioux camp. A visiting Minneconjou Sioux brave, Straight Forehead, kills the cow, which is promptly butchered and eaten by the tribe. The cow's owner arrives in Fort Laramie the next day and meets with the commanding officer, Lieutenant Hugh B. Fleming, demanding compensation. The following day Chief Conquering Bear meets with Fleming and agrees to pay the Mormon for his loss. Fleming also wants Straight Forehead arrested, which is refused by the chief.

August 19, 1854—Young Curly watches as thirty soldiers, led by Lieutenant John G. Grattan, arrive at the edge of the Brulé camp. Armed with a twelve-pound cannon and a mountain howitzer, twenty-four-year-old Grattan is spoiling for a fight and demands Conquering Bear to surrender Straight Forehead. When this is not done, Conquering Bear is promptly killed, resulting in the annihilation of Grattan, his entire detachment, and an interpreter. This prompts Curly to seek a vision, in which his prowess as a great warrior is foretold among other revelations. The "Grattan Massacre," as described by the white press, marks the beginning of hostilities between the Sioux and the United States Army.

September 3, 1855—Curly returns from a hunting trip to find scores of Indian women and children being killed in camp along Blue Water Creek, in present Nebraska, during an attack led by General W.S. Harney. Some seventy Brulés are taken prisoner and government accounts list seven dead enlisted men and five wounded. Curly helps Yellow Woman, a Cheyenne, escape the carnage, which earns him the undying gratitude of her people.

1858—Curly prepares himself for a raid against the Wind River Arapahos in the manner prescribed by his vision. He adorns a red hawk feather, a small brown stone behind his ear, and a medicine bundle made by his father. He also paints his face with a lightning bolt and his body with hail spots made of red earth for protection from enemy fire. Led by Hump, the Sioux engage the Arapahos and Curly displays great courage in battle, killing two of his foes and suffering a leg wound. He is later celebrated in camp and is given the name of his father, Crazy Horse.

1863—The Bozeman Trail, which winds through the Powder River Country of the Sioux and Crows, is established as a route to the Montana goldfields. Reaction to this incursion prompts open warfare between the Sioux, led by Red Cloud, and the U.S. Army.

1865—Crazy Horse is instrumental in effecting the escape of a group of Sioux being driven from their camp at Fort Laramie, Wyoming, under orders of General G.M. Dodge. Later in the year Crazy Hose is selected as a Shirt Wearer by tribal elders, a position of great honor and responsibility.

December 21, 1866—A combined force of Sioux, Cheyenne, and Arapaho warriors attack a woodcutting party outside Fort Phil Kearny, Wyoming, in order to lure the post soldiers into a trap. Captain William J. Fetterman of the Second Cavalry, and eighty of his men respond and are lured into a trap. Fetterman and his detachment fall under a rain of arrow fire and are wiped out in under an hour. Only fourteen Indians are killed, establishing Crazy Horse's reputation as a master of guerrilla warfare.

August 2, 1867—A large force of Sioux set out for Fort Phil Kearny, bent on attacking the fort and ridding the military presence in the Powder River region once and for all. Under the leadership of Red Cloud and Crazy Horse, the warriors descend on a woodcutting camp four miles west of the fort. They engage a small military detachment commanded by Captain James W. Powell. The arrival of new breech-loading Springfield rifles the previous month and the use of a howitzer inflict a heavy toll on the Indians, thus preventing a repeat of the Fetterman battle. The U.S. troops sustain little loss of life during what comes to be known as the Wagon Box Fight.

1868—Peace commissioners meet with leaders of the Northern Plains tribes at Fort Laramie and sign a treaty guaranteeing the Indians hunting rights in the Powder River and Black Hills region. The treaty also establishes

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Witko)

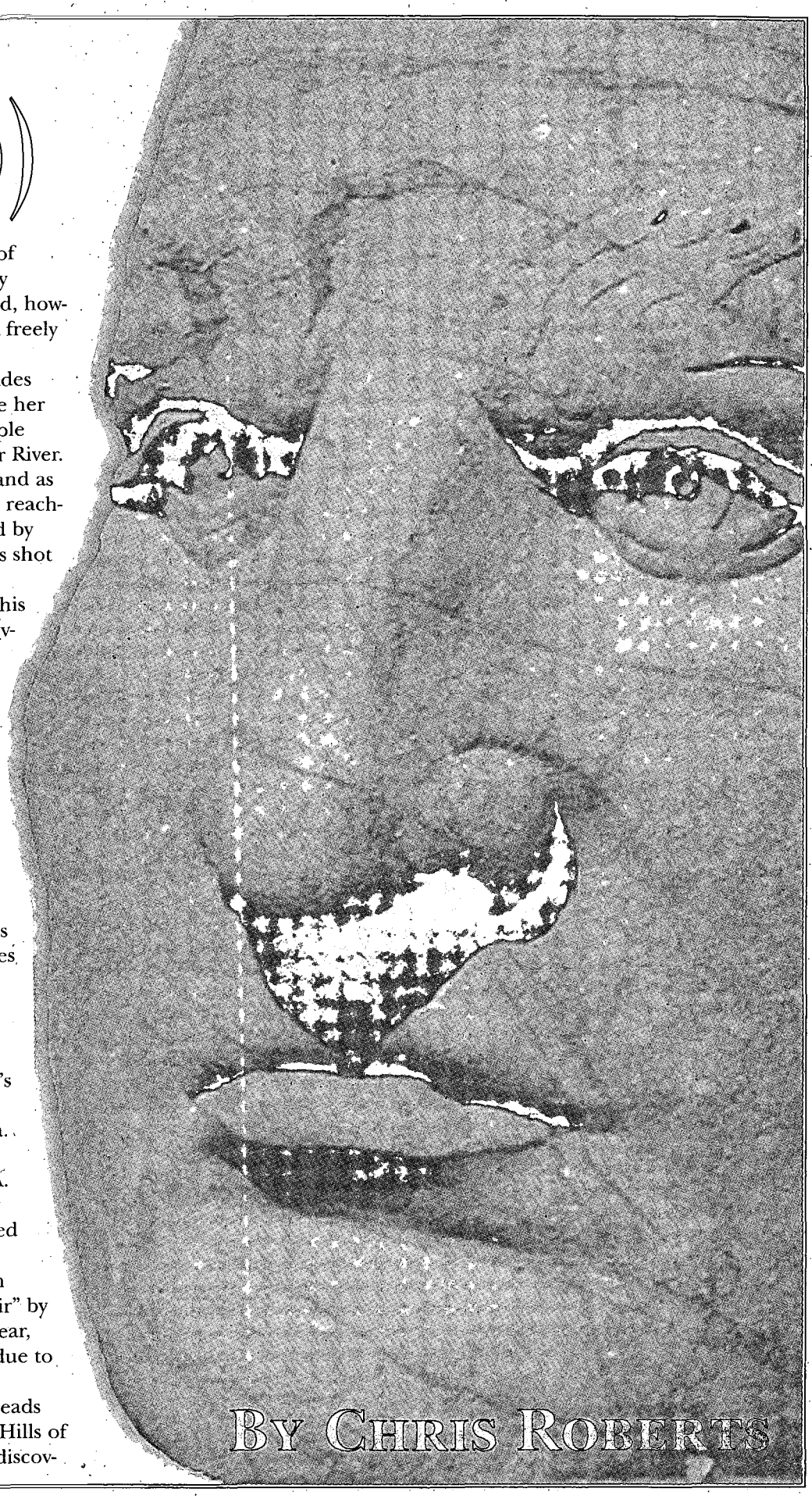
the Great Sioux Reservation of southern South Dakota. Crazy Horse and his non-treaty band, however, continue to move about freely in the Powder River country.

1870—Crazy Horse persuades Black Buffalo Woman to leave her husband, No Water. The couple take shelter along the Powder River. No Water tracks them down and as he pulls a pistol, Crazy Horse reaches for a knife but is restrained by Little Big Man. Crazy Horse is shot in the face, but survives the encounter and is stripped of his Shirt Wearer title. While recovering from his wound he receives the news that his half-brother, Little Hawk, has been killed while attempting to stampede horses from a frontier post. That fall, Crazy Horse loses his good friend, Hump, in a fight with Shoshone warriors in the Wind River Mountains of Wyoming.

1871—Crazy Horse marries Black Shawl Woman, who gives birth to their daughter, They Are Afraid of Her.

August 11, 1873—Crazy Horse and Sitting Bull attack the Northern Pacific railroad's military escort along the Yellowstone River in Montana. The escort is commanded by Lieutenant Colonel George A. Custer. His troops sustain few casualties, due to poorly armed Sioux. The raid affords Crazy Horse his first encounter with Custer, later called "Long Hair" by the Sioux. During the same year, Crazy Horse's daughter dies due to frail health.

July-August 1874—Custer leads an expedition into the Black Hills of South Dakota, where gold is discov-



By Chris Roberts

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TRUE WEST LEGENDS:

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ered.

September 20, 1875—A U.S. government commission meets with leaders of the Northern Plains Indians at the Lone Tree Council to negotiate the purchase of the Black Hills. Crazy Horse and others are vehemently opposed to the sale, and Red Cloud, who favors the sale, is unable to muster enough support. The commission eventually leaves empty handed.

June 17, 1876—The Battle of Rosebud Creek, Montana, is fought between General George Crook's force of 1,100 soldiers and Sioux War Chief Crazy Horse, who leads some 1,000 warriors. The fight rages for six hours, with Crazy Horse showing strong leadership by attacking weak points along the army's flanks, thus separating Crook's troops. Captain Anson Miles saves the general from being routed by circling around the Sioux-Cheyenne combine and attacking their rear. The casualties for both sides are relatively small, and Crook is credited with fighting a strong defensive battle.

June 25, 1876—Lieutenant Colonel Custer tracks signs of a Sioux-Cheyenne village in the valley of the Little Bighorn, Montana, and divides his Seventh Cavalry into three battalions. Leading five companies, Custer and his troops are immediately put on the defensive by a force of some 2,000 warriors led by Crazy Horse and Gall. Crazy Horse directs a flanking movement to Custer's left and Gall's warriors flank the right, leaving Custer and his men in disarray and no time to establish a defense. Amid a swirl of choking dust, blinding gunsmoke, and unrelenting war cries, Custer and his battalion are wiped off the face of the earth in under an hour. Indian losses are considered light in comparison and the battle firmly establishes Crazy Horse as a great war chief among his people.

January 8, 1877—The winter camp of Crazy Horse is attacked by troops commanded by General Nelson A. Miles at the Tongue River, Montana. Crazy Horse's band retreats and the Battle of Wolf Mountain commences with little loss of life on either side, although Miles effectively demonstrates the army's ability to fight in the dead of winter. This has a demoralizing effect on the warriors and convinces Crazy Horse that surrender is inevitable if his band is to survive.

May 6, 1877—Crazy Horse leads his band of nearly 900 hundred to Camp Robinson, Nebraska, to surrender to Lieutenant William P. Clark. Flanked by his subchiefs, Little Big Man, He Dog, and others in full war finery, Crazy Horse wears a simple buckskin shirt and a single feather in his hair. The strange man of the Oglalas is greeted by thousands of reservation Indians and a great peace song swells from the crowd, causing one army officer to say, "By God this is a triumphal march, not a surrender."

September 5, 1877—Some four months pass and Crazy Horse is subjected to a campaign of lies, double dealing, and outright jealousy perpetuated by the military and primarily Red Cloud, who seeks absolute power over reservation matters. Crazy Horse is brought back to Camp Robinson from the Spotted Tail Reservation, under the pretense that he is to meet with the post commander to work out the latest problems. Upon arrival at the post, Crazy Horse is met by Little Big Man who reassures him. They are quickly joined by two soldiers, who escort Crazy Horse to the guardhouse. Realizing Little Big Man's treachery, Crazy Horse pulls a knife, stabbing his betrayer as he himself is bayoneted in the back by one of the guards. Crazy Horse is brought to the adjutant's office and the post doctor examines him, concluding he would not live through the night. His final hours are attended by his father and his trusted friend, Touch the Clouds. Crazy Horse of the Oglalas dies at 11:40 PM and with him passes the last vestige of a free people. The following day his parents claim the body and lay him to rest in an undisclosed location.

What to Read

Crazy Horse: Sioux War Chief, by Peter Guttmacher.
Chelsea House Publishers, 1994.

The Death of Crazy Horse, edited by Richard G. Hardorff.
The Arthur H. Clark Co., 1998.

Crazy Horse: Strange Man of the Oglalas, by Mari Sandoz.
University of Nebraska Press, 1992.

Where To Go

Black Hills, South Dakota, where the Crazy Horse Mountain Memorial is currently being sculpted near Highways 16 and 385. The monument is open to the public. The nine-story face was completed in 1998.

Little Bighorn Battlefield, Montana, where the Sioux and Cheyennes, under the leadership of Crazy Horse and Gall, defeated Custer's Seventh Cavalry. Located off Highway 212, visitors can view various sites of the battle, a museum, and a number of monuments, including the site of a future monument to the Indian casualties of the battle.

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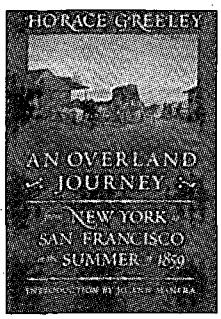
BOOKMART

710—THEY DIED WITH CUSTER: SOLDIERS' BONES FROM THE BATTLE OF THE LITTLE BIGHORN. *By Douglas D. Scott, P. Willey, & Melissa A. Connor.* The authors use historic sources, archeological evidence, and physical data to present new revelations about the men who rode and died with George Custer at the Little Bighorn. Through painstaking analyses of skeletal remains, the authors construct composite biographies of the soldiers, identifying ages, heights, states of health, and mode of death. A vast selection of illustrations, including photos, maps, drawings, and graphs, enhance the discussion. 419p. University of Oklahoma Press.

Cloth, $29.95



752—AN OVERLAND JOURNEY FROM NEW YORK TO SAN FRANCISCO IN THE SUMMER OF 1859. *By Horace Greeley.* In the spring of 1859, Greeley, the celebrated editor of the New York Tribune, set off to explore the projected central route for a transcontinental railroad. An inveterate reporter, Greeley commented on everything he saw, from prairie dogs to the wonders of Yosemite. His reports had an immeasurable impact on the reading public and its growing interest in the West. 397p. University of Nebraska Press.

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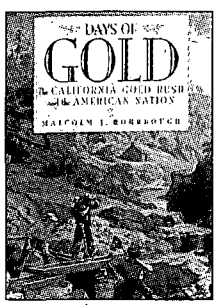

648—DAYS OF GOLD: THE CALIFORNIA GOLD RUSH AND THE AMERICAN NATION. *By Malcolm J. Rohrbough.* Described by the author as an "introduction" to the stampede for gold in California, this book provides far more than the usual historical introduction. Exhaustively researched and engagingly written, Rohrbough's *Days of Gold* explores the whys, whats, wheretos, and wherefores of one of the most consequential sagas in American history and in the development of the American nation. "Rohrbough tell the story straight from the mouths (or pens) of those who lived it."—*Christian Science Monitor.* 373p. University of California Press.

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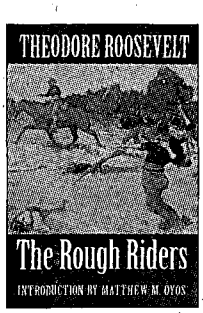

730—THE ROUGH RIDERS. *By Theodore Roosevelt; introduction by Matthew M. Oyos. The Rough Riders,* published the year after the Spanish-American War—or in Roosevelt's words, "the splendid little war"—is Roosevelt's account of the mustering of the regiment, many of the troopers of which came from the American West; the perils endured; and the horseback charge up Kettle Hill during the battle for San Juan Heights. This reprint gathers eleven important photographs from earlier editions of the work and also contains two new maps and an index. 320p. University of Nebraska Press.

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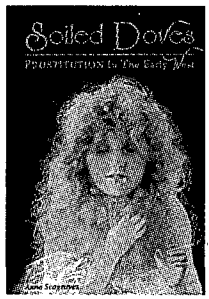

532—SOILED DOVES: PROSTITUTION IN THE EARLY WEST. *By Anne Seagraves. Soiled Doves* tells of the grey world of prostitution and the women who participated in the oldest profession. Colorful, if not socially acceptable, these women of easy virtue were a definite part of the early West. Illustrated with many rare photos, this book provides a touching insight into the lives of the ladies of the night. 173p. Wesanne Publications.

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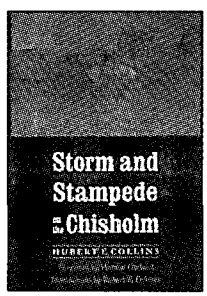

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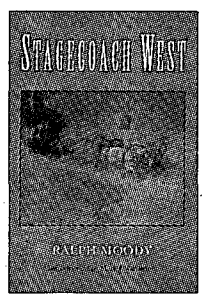

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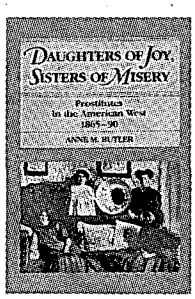

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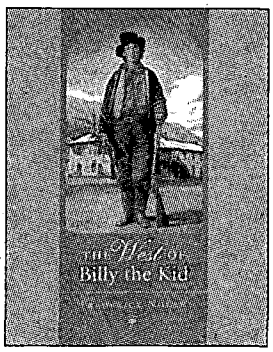

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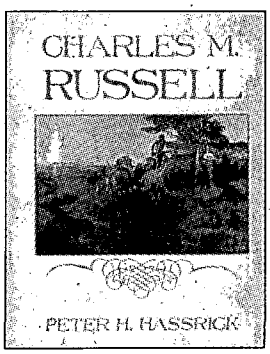

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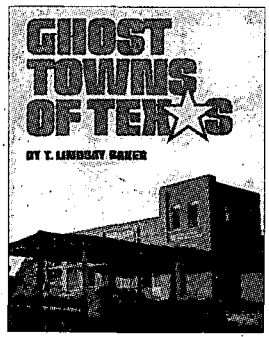

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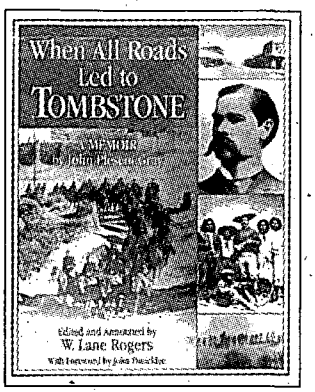

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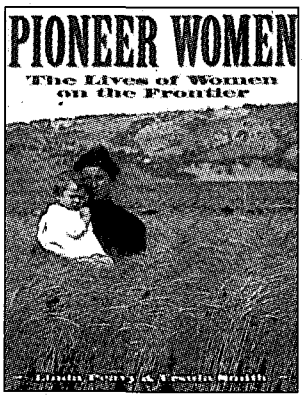

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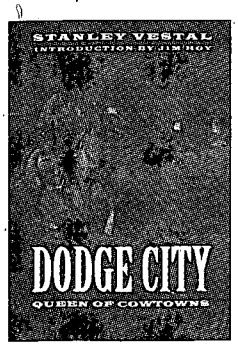

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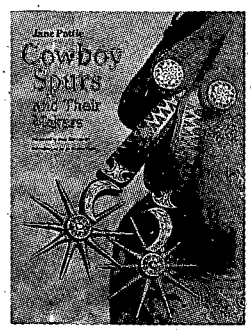

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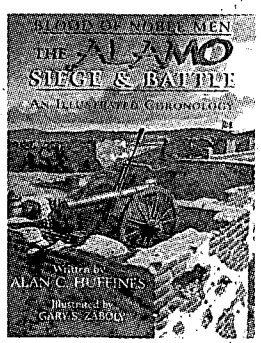

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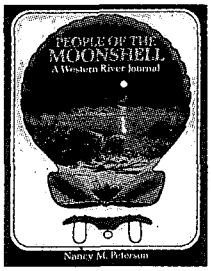

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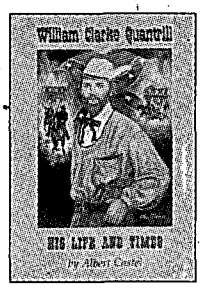

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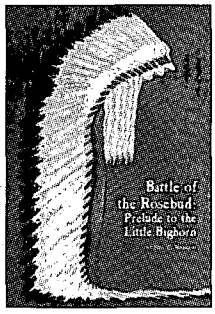

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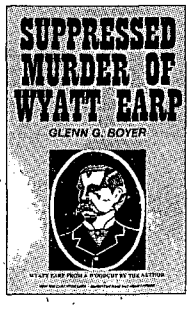

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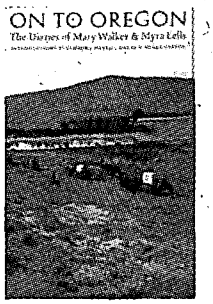

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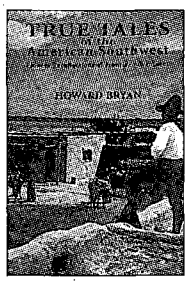

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CON MURPHY

A DAISY OF AN OUTLAW

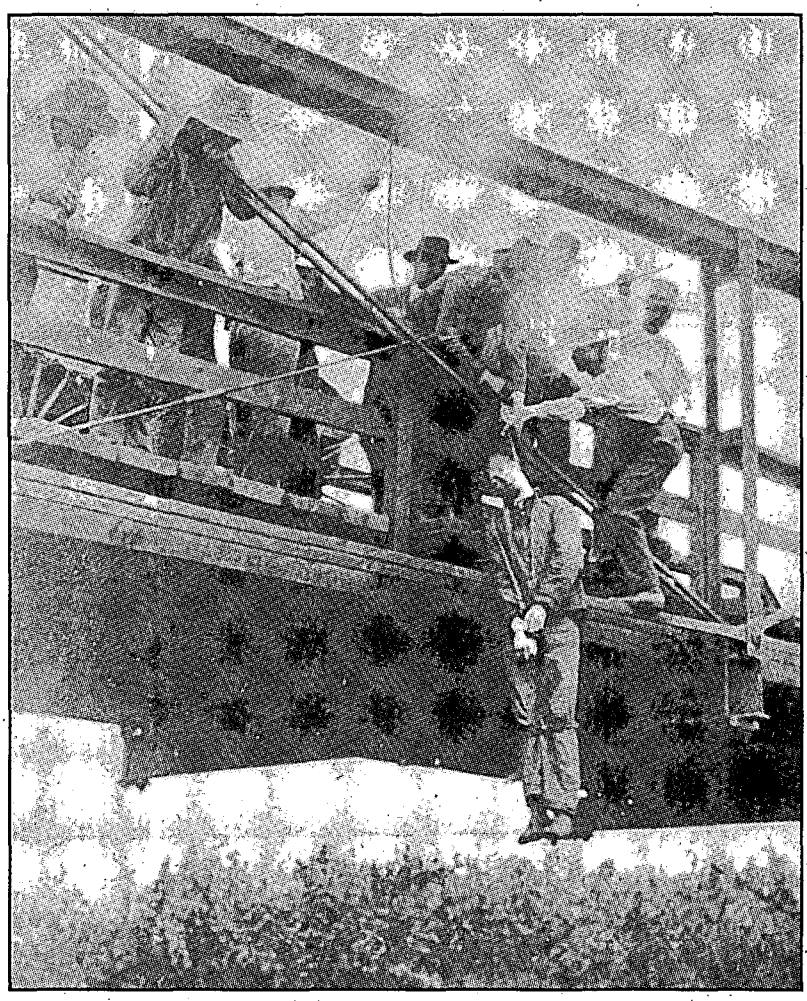
BY ELMER D. MCINNES

Madison County, Montana, Deputy Sheriff James Mitchell urged his team steadily forward over the snowy trail. It was the crisp, clear evening of February 12, 1879, and the hard packed snow crunched beneath the horses' hooves. Although Mitchell knew he would not reach his destination this evening he hoped to gain the stage stop of Junction Station before many hours. Here he would spend the night before heading out bright and early the next morning for Virginia City.

Seated beside Mitchell on the sleigh box, shivering against the cold, was his prisoner, a twenty-two-year-old thief named Cornelius Murphy.

Mitchell's duty was to transport Murphy to Virginia City where the seemingly pleasant fellow, of "youthful appearance and innocent actions," would face trial on three counts of livestock theft.

Upon reaching Junction Station, after warming themselves before the fireplace and having a bite to eat, Mitchell and his young charge retired for the evening. Reposing in the same bed as his prisoner, the deputy, having traveled with the happy-go-lucky Murphy all day, felt no need for restraints. In the middle of the night Murphy got up. "I must go out," he said. Mitchell, assuming that Murphy needed to visit the outhouse, replied, "Yes, I will go along with you," and the pair proceeded to the front door. As they neared the doorway the nimble Murphy suddenly bounded to the corner where a rifle had carelessly been left leaning against the wall. Snatching up the weapon and bringing it to bear on Mitchell, the young outlaw demanded the lawman throw up his hands under the threat of death. Shocked and surprised, Mitchell watched helplessly as Murphy backed out of the door and disappeared into the enveloping darkness. Murphy had just made his first of many escapes from custody. Soon the name of Cornelius "Con" Murphy would be known the length and breadth of Montana.



Montana Historical Society

Although not the lynching of Con Murphy, this photo depicts a very similar scene of a young outlaw hanged from a railroad bridge somewhere in Montana.

According to most accounts, including his own, Con Murphy hailed from Marion County, Missouri, where he first saw the light of day some time in 1858. Although not much is known of his early years he apparently spent his boyhood near the city of Hannibal, made famous as the birthplace of humorist Mark Twain. Murphy him-

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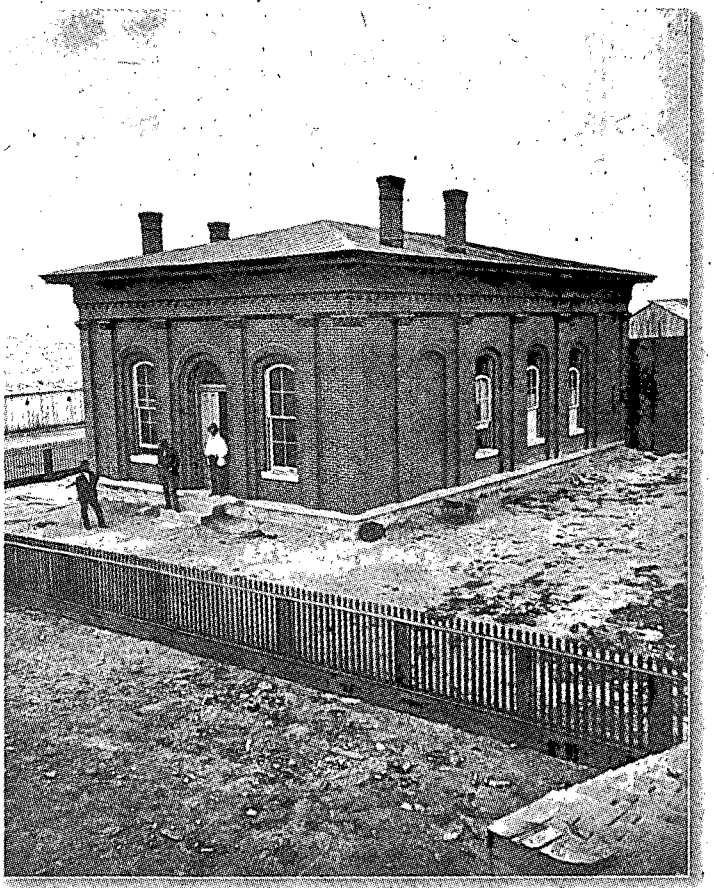

Montana Historical Society

Lewis and Clark County jail, Helena, Montana. Sheriff Seth Bullock is featured, standing in the jail's door frame.

self stated that when he was eighteen years old, in about 1875, he left his familiar surroundings and headed west.

He would later claim to have been a civilian employee at Fort Lincoln, Dakota Territory, and to have left the fort with the famous Custer Expedition of 1876. The first record of Murphy in the west is far less distinguished.

By 1878, Murphy had located in Madison County, Montana, where he worked as a common laborer. On November 21 he was involved in the armed theft of livestock belonging to two local ranchers. Seven days later, he was again identified as the perpetrator of the theft of two horses valued at a total of one hundred dollars from another local ranch. Beaverhead County Sheriff James Murray arrested the young thief after these incidents and locked him up in the county jail at Dillon. Murphy's case was transferred back to Madison County in February 1879. Thus Murphy found himself in the temporary custody of Deputy Mitchell that cold winter night at Junction Station. From humble beginnings a notorious career had begun.

Though his escape had been dramatic, freedom proved short lived. By early March, Murphy found himself once again behind the bars of the Virginia City jail. In addition to the livestock theft charges, he faced two more indictments. One, a charge of resisting an officer, resulting from his escape from Mitchell, the second was a United States district court case involving the theft of U.S. property, probably government livestock. Unable to meet the $1,500 bail, Murphy awaited his trial dates behind bars.

Convicted in U.S. District Court for theft of government property on March 20, Murphy received a sentence of one year in the territorial prison at Deer Lodge, Montana. The same day this conviction was handed down, his trial in the first of two larceny cases commenced. By March 25 he found himself once again pronounced guilty. Judge Henry N. Blake sentenced the young felon to another two-year sentence at Deer Lodge. Virginia City attorney J.G. Spratt, Murphy's council, managed to obtain a continuance in the other larceny case and the case of resisting an officer. For his client it was a small and meaningless victory.

The territorial prison received Cornelius Murphy on April 5. He is described as twenty-two years of age, five-feet, six and one half inches tall, one hundred and fifty pounds, with light brown hair, gray eyes, and a florid complexion. Although he kept a low profile his active mind soon plotted an escape that he carried through successfully on the afternoon of August 29. Sightings of the escapee trickled in over the next week but a capture would not be forthcoming for almost a year.

In early June 1880, Lewis and Clark County Sheriff Charles M. Jefferies received a tip that Murphy was holed up at the head of the Dearborn River, in the mountainous area north of Helena. A deputy sheriff ventured forth, surprising Murphy at his camp and effecting his arrest without incident on June 5. During his time of freedom, the industrious outlaw had not been idle. When arrested he had in his possession a large herd of horses accumulated from surrounding ranches.

Carted back to Deer Lodge, Murphy received an additional few months onto his original sentence. This time he served his full term, being discharged on July 6, 1882, with time off for good behavior. He was not rehabilitated, however.

At this time, southwestern Montana experienced a rash of livestock thefts and stage robberies. Evidence would seem to suggest that soon after gaining his freedom Murphy joined one of the many rustler gangs operating in the area. As a result of his activities he found it necessary to leave Montana in the summer of 1883. Traveling to Idaho, he spent some time working as a cowboy in the Snake River country

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near the mining camp of Hailey.

By the winter of 1884, Murphy reappeared in southwestern Montana. He cowboyed on the ranch of John O'Neill, located about fourteen miles south of Helena along Spokane Creek. Outwardly a law abiding rancher, O'Neill was believed by many to have close ties with the various horsethief gangs operating in the area. Situated about twelve miles north of the O'Neill ranch on Spokane Creek was Edmonson's Ferry. Operated by John Edmonson, Sr., Edmonson's Ferry was also the home of the old ferryman's three sons, John Jr., Henry, and Jefferson. Henry, a notorious rowdy, and his older brother, John, were actually leaders of one of the biggest rustling gangs in the area. Henry Edmonson, in fact, had served a short term in the Deer Lodge penitentiary around the same time as Murphy. On February 23, 1881, Edmonson, working as a miner at nearby Beaver Creek, was convicted of shooting and seriously wounding a fellow miner over a claim dispute. Released after serving only five months of a ten-year sentence and being granted a new trial, Edmonson managed to beat the charges. During the winter of 1884 Con Murphy and Henry Edmonson became confederates in crime. May of that year saw the so-called "Edmonson Gang" stage one of the biggest horsethief raids ever perpetrated within the borders of Montana.

The core of the gang, Murphy, Henry, and John Edmonson and a tough Texan named George Munn, along with four or five other individuals, decided to trail a large herd of stolen horses across southwestern Montana into Idaho. The object of the drive was to accumulate as many stolen horses as possible along the way and finally dispose of them for a cash profit on an unwary Idaho market.

In order to obtain needed funds for the trip the gang decided to rob the Fort Benton to Helena stagecoach. On Tuesday, May 27, Con Murphy and George Munn surprised the driver near Mitchell's Station. The take, a paltry $150 and one gold watch obtained from a passenger, proved disappointing. Evading pursuit, Murphy and Munn rejoined the gang near Edmonson's Ferry.

On the evening of May 31, the gang made their move. Stealing twenty-two head of horses from the pasture of John Keating, about three miles north of Edmonson's Ferry, they headed towards Idaho. The herd increased as they traveled. A large posse led by rancher Jack Alport trailed the gang, finally catching up to them on June 5, in neighboring Madison County near the Idaho border. During the lively gun battle that resulted, some three hundred to five hundred shots were fired but the outlaws managed to make their getaway with the horse herd into Idaho.

The gang displayed their brazenness upon arriving at Henry's Lake, just over the Idaho border. Aware of the posses on their trail the Edmonsons, Murphy, and company set up an ambush near a stopping place known as Rea's Hotel. When no posses arrived after a day and a half, one of the gang put a pencil to paper and wrote a message for their would-be captors, "Better you not come any further for somebody's darling might get hurt, for we are dandies." Suspending the message from the limb of a tree overhanging the road, the gang pressed on. A few hours later a posse from Madison County, led by Deputy Sheriff Al Gloyd, discovered the missive. This posse was not impressed by the threat.

The Madison County posse quickly closed in on the gang. Early on the morning of June 9 they overtook John Edmonson about a mile outside of Camas, Idaho. Driving a wagon which also contained his wife and two small children, Edmonson surrendered without a struggle. Meanwhile, Con Murphy, Henry Edmonson, and George Munn, the three remaining thieves, drove their horse herd down the Snake River and entered the Mormon settlement of Ricksburg, present-day Rexburg, Idaho. Any other gang members had long since parted company with these three. Passing themselves off as legitimate horse herders, the three men took lodging in the home of the son of Bishop Ricks, for whom the community had been named.

Leaving Deputy Sheriff Al Gloyd and five others in camp to guard John Edmonson, George Thexton led a posse after Murphy, Henry Edmonson, and Munn. The Madison posse finally entered Ricksburg under cover of darkness on the evening of the June 9. Surrounding the Ricks house, they waited for morning. Soon after dawn Henry Edmonson and George Munn stepped out the front door. Ordered to surrender they quickly drew their revolvers. The posse opened fire. Edmonson fell behind a wood pile and Munn ducked back inside the house. Soon the shooting became general as Murphy and Munn returned the posse's gunfire from the house. The battle raged for about half an hour when Munn suddenly stepped out the door, a rifle to his shoulder. Almost instantly a slug ripped into his chest, dropping him in the doorway to die. With this turn of affairs Murphy, joined by Edmonson from behind the wood pile, called out that he wished to surrender.

The posse returned with Murphy and the two Edmonson brothers to Virginia City, locking them in the Virginia City jail on June 13. The next few weeks would see the rise of vigilante action throughout the Montana cattle country. Within the next month at least seven suspected horse thieves were killed in various encounters with citizens in a seventy-mile radius of Helena. Despite this threat, or perhaps because of it, Murphy was about to embark on another series of daring escapes from the authorities.

The three partners in crime eventually ended up in jail in Helena facing various charges of horse theft. Murphy also faced the additional charges of having robbed the Fort Benton stage coach with Munn in late May. The evidence

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against Murphy being overwhelming, Judge I.R. Alden ordered him held on bail of $1,500 to await the sitting of the next grand jury. Murphy had other ideas.

The local newspaper, the Helena *Daily Herald*, termed the city lockup "a poor, thin, insecure building no stronger than a pidgeon [sic] box." On the evening of July 21, Murphy reinforced the paper's statement. He made his escape from the jail through a fourteen by sixteen-inch hole he managed to cut in the ceiling. Stealing a horse from a nearby stable and equipped with saddle, blanket, bridle, and even a pair of spurs, he galloped out of town.

After two days of riding by night and hiding out by day the escaped fugitive reached the town of Big Timber, some one hundred and ten miles southeast of Helena. He skulked around the area for nearly two weeks, subsisting on wild berries and scraps of food scrounged from local ranches. Finally he decided to enter the town itself. Selling his stolen horse for seventy-five dollars he injudiciously decided to stop first at the local saloon. Suspicious locals notified the authorities. Under-Sheriff George Conrad made an easy arrest of Murphy in the Bliss Saloon on August 6.

After an absence of eighteen days, Con Murphy found himself back in the Helena jail by August 8. A reporter for the *Herald* found him there the next day "in a loquacious mood, while he puffed away at a stub of pipe which he held tight in his teeth...." The mirthful outlaw even sang a bit of an Irish reel for the newsman. This mood of gaiety soon changed, however.

Vigilantism had made a strong comeback in the Helena area, reminiscent of the days of the early 1860s, Henry Plummer, and the so-called "Road Agents." In the mind of Lewis and Clark County Sheriff James Kilpatrick the threat to the safety of his prisoner seemed so real that he decided he had no alternative but to move Murphy to the neighboring county of Silver Bow. Thus, on the evening of August 9, Murphy, in the charge of Under-Sheriff George Conrad, boarded a train for Butte. As the locomotive neared the town of Stuart, Murphy asked Conrad's permission to use the water closet. Once inside, despite being handcuffed and leg-ironed, Murphy pried open the window and began to crawl out. Conrad became aware of the situation just in time to open the door and see his prisoner's shackled feet disappear out the window of the speeding train.

Conrad managed to stop the train some two miles down the track. The train continued on, leaving the harried lawman alone to beat the brush for his prisoner. Luckily, the deputy happened upon Murphy as he sat by a little stream working on his handcuffs and shackles. Conrad force Murphy to march, at gunpoint, some four or five miles to the town of Silver Bow. Here he procured a wagon and completed the journey to Butte. Conrad finally lodged his prisoner in the county jail at Butte the next afternoon.

The name of Con Murphy quickly became a household word throughout Montana. The Virginia City *Madisonian* of August 16 said of him:

> Con Murphy is a daisy. He is the gayest Jack Sheppard, Dick Turpin and Claude Duval combination and aggregation of dash, daring and double-distilled deviltry that ever wore a pair of Montana darbies, and if he don't find fame in a hempen necktie and a yellow-covered "Life and Adventures", there is no reward for merit on this mundane sphere.

Murphy bided his time in the Butte jail until the completion of the new county facility at Helena. At this point authorities transported him back to Helena, where he rejoined his old pals John and Henry Edmonson. This proved to be Murphy's longest stay behind bars. By fall the Edmonson boys were indicted, their trial to commence in November. Murphy himself would not be in attendance at the November court session. Once again he would opt for "leg bail."

Early on the morning of November 6, Murphy placed a homemade dummy in his bed and hid undetected in the bathtub in a far corner of the common area. Later that morning, he walked out of the new "escape proof" county jail. With a reward of $1,000 placed upon his head by the Territory of Montana, Con Murphy made himself scarce. John and Henry Edmonson were sentenced to twelve and fourteen years, respectively, in the penitentiary two weeks after Murphy's escape. By this time Murphy's whereabouts could only be guessed at.

The new year of 1885 brought about some major developments in the Con Murphy case. Early in January, Murphy's younger brother arrived from Missouri. Lodging at the ranch of the outlaw's old friend, John O'Neill, located near Helena, his presence would have dire consequences for Murphy.

O'Neill, newly married, had a strong desire to turn respectable. On January 26, the rancher arrived in Helena and informed authorities that the much wanted Con Murphy was making surreptitious visits to see his brother.

O'Neill added that for a share of the $1,000 reward money he would assist the lawmen in capturing Murphy.

Late that same afternoon, O'Neill led Deputy Sheriff J.H. McFarland and Helena city police officer George Bashaw to his homestead. He related that Murphy planned to spend that night at the ranch with his brother.

The three hoped to catch him unawares; when the trio entered the cabin they found the wanted man sleeping in a makeshift bed by the fireplace. Immediately O'Neill dived onto the slumbering man while McFarland and Bashaw covered him with their guns. Waking with a start, Murphy began to struggle. Seeing the barrels of the two officers' guns bearing down upon him, he gradually lay still. "You have caught me" he wailed and quickly surrendered.

That same night Murphy and his

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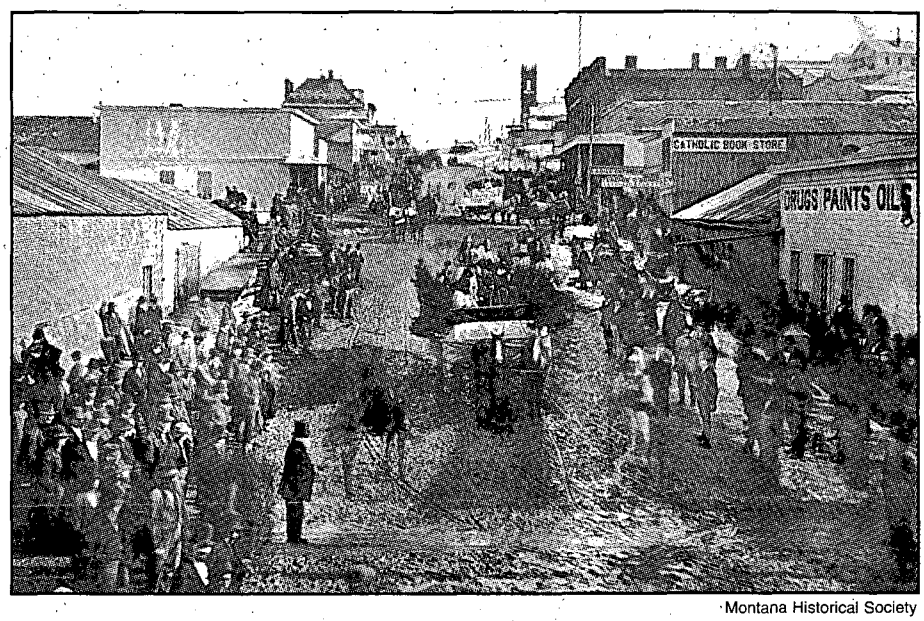
brother were bundled into McFarland and Bashaw's sleigh, and the two lawmen headed back to Helena with their prisoner. They decided to stop for the night at Bruce Tooles' Half-Way House hostelry. The next morning, while McFarland worked in the stable hitching the horses to the sleigh for the final leg of the journey to Helena, Bashaw ordered Murphy to get ready to leave. As he put on his overcoat, Murphy suddenly reached into a concealed pocket and pulled out a .41 revolver.

Thumbing a quick shot, Murphy's bullet hit Bashaw on the back of his left hand, lodging near the wrist. The surprised policeman jerked his own revolver and fired a shot which missed, at the same time flinging open the door and jumping outside. Both men then blazed away at each other with three or four shots, none of which found their mark. At this point Murphy retreated inside the Half-Way House, while Bashaw took cover outside.

The affair rapidly turned into a standoff, with neither side gaining the advantage. The officers decided to summon John O'Neill, known as a crack rifle shot, to the Half-Way House in order to help dislodge Murphy. After a few well placed shots from O'Neill's rifle whistled close to Murphy's head, the outlaw finally decided to surrender.

The town of Helena was notified of the capture and gunfight. A ten-man posse under former Helena City Marshal Ross Deegan soon arrived at the Half-Way House to assist in the transport of Murphy back to the county jail. After bandaging Bashaw's wound and eating a light lunch, the party set out. Con Murphy's destiny was rapidly approaching.

About four miles from Helena the posse, with Murphy and his brother riding in the back of the sleigh driven by McFarland, was forced to stop by a group of "several hundred" individuals. While some of the mob detained the lawmen the balance forcibly removed Murphy from the sleigh. Their leader told him his life was nearing its termination.



Montana Historical Society

Helena, Montana, corner of Main and Broadway, 1876.

When asked if he had anything to say Murphy implored, "Don't harm the boy, for he is innocent," in reference to his younger brother, who still sat in the sleigh box wide eyed with fear. After an unsuccessful attempt to extract information from the surprisingly composed outlaw one of the vigilantes produced a rope.

"There are worse men than I am free in Montana, and I must be hanged!" Murphy exclaimed. "I don't think I am having a fair show."

Quickly, one of the mob placed the noose over his head and adjusted it about his neck. Marched beneath a nearby telegraph pole, Murphy calmly stood as the free end of the rope was tossed over the crossbeam. Some fifty men grasped the rope and proceeded to haul Murphy into the air. Just as force was applied the crossbeam snapped and the rope fell to the ground. Murphy had been given a few more minutes of life.

"Drive to the railroad bridge!" someone shouted out from the mob.

They trundled Murphy back into the sleigh, with the rope still about his neck. A ten-minute drive was made to the Northern Pacific railroad trestle, located about three and one half miles southeast of Helena. Considering events, the ride must have been a test on Murphy's nerves, but still he continued to show little, if any, emotion. His only show of emotion came when they finally reached the bridge. Looking over at his brother, Murphy said in a anguished voice, "Brother, kiss me." These were his last words. With tears running down his cheeks Murphy's brother leaned over and kissed him, saying as he did so, "Good-bye, brother."

The mob lifted Murphy out of the sleigh and hustled him onto the bridge. With the noose still around his neck, some of the vigilantes tied the free end to a railing. Without further ceremony one of the mob gave him a push and Con Murphy was launched over the edge into eternity.

Before leaving the scene someone pinned a large notice to the executed man's coat, adorned with a skull and crossbones. The message bore the mysterious vigilante figures, "3-7-77" and the single word, "Beware!"

As that cool winter evening wore on the body of the infamous Montana outlaw Con Murphy swayed lifeless in the breeze. As had been said about the passing of other horsethieves before him, he had now gone "to the place where horses are of no use to such as he."

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On the morning of July 4, 1883, City Commissioners Ed Weber, Barney Day, and clerk Thomas Dean met for breakfast at Grand Lake, Colorado's, Fairview House, then left for a scheduled commissioner's meeting. Their walk along the banks of Grand Lake that morning would be their last...

GRAND LAKE'S FATAL FOURTH

By Theresa Goldstrand

There are times when a town "just wasn't big enough," when personal feuds, opposing politics, and subsequent vendettas smoldered into uncontrolled wildfires.

Such was the case in the villages of Grand Lake and Hot Sulphur Springs, Colorado. Mining ventures spawned cities that mushroomed overnight and just as quickly disappeared, leaving little but rotting, abandoned cabins. The problems began in 1880, when the residents of Grand Lake voted to move the county seat from Hot Sulphur Springs to Grand Lake. Six years earlier, Hot Sulphur Springs was a bustling center along the stage road that connected the towns of Fraser, the boomtown Troublesome, and Kremmling. By 1880 businesses, residences, and tourist interest had been firmly established along the beautiful shores of Grand Lake.

A countywide vote was taken November 2, 1882. Strict geographical lines were drawn and Grand Lake won the county seat by a vote of 114 to 83. A dispute arose immediately, when the majority of Hot Sulphur Springs canvassers threw out sixty-two votes as invalid (some residents had not lived in Grand Lake the required six months prior to the vote). Hot Sulphur Springs was again the county seat, ahead by a narrow margin of two votes. John Gillis Mills, newly elected to the Grand Lake board of commissioners, later stated that the canvassers may have falsified some returns.

Grand County Historical Association

Grand Lake, Colorado, Under-Sheriff William Redmán disappeared after the ambush and murders of Edward Weber, Barney Day, and Thomas Dean.

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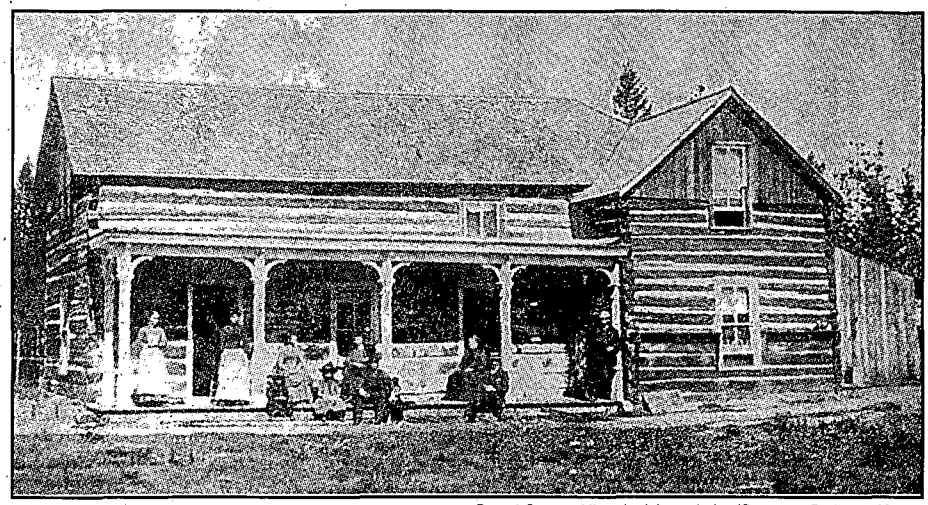
On April 9, 1881, a second vote was taken, firmly establishing Grand Lake as the county seat. The issue continued to boil, however, and two Hot Sulphur Springs proponents, Thomas Dean and William Byers, took the feud to the August sessions of the district court at Grand Lake. In counter-proceedings Dean was charged with mutilating court records. Dean secured attorney Edward P. Weber as his legal counsel. District Court Judge Chester C. Carpenter announced on August 18 that Grand Lake was indeed the county seat, with votes of ninety-three to Hot Sulphur Springs' seventy-one.

Attorney Ed Weber, who favored the Hot Sulphur Springs factions, found a public opponent in John Mills on several local issues. A serious shift in political power, in favor of the Weber faction, came on November 7, 1882, when Weber's candidate, John Lafever, was elected as state representative and H.B. Rogerson was appointed as the new county commissioner. After the election, County Commissioner Rogerson declared himself ineligible and Governor Frederick W. Pitkin appointed Edward Weber in his place. John Mills' reign as county commissioner was officially over.

In February 1883, Mills petitioned the governor to cancel Weber's appointment, without success. Weber removed Mills' appointed county attorneys and selected two of his own. Weber called for a special commissioners' meeting on February 26, but was thwarted when Under-Sheriff William (Bill) Redman refused to allow them entrance into the courthouse. Undeterred, Weber, accompanied by Cap Dean, conducted the meeting at the private home of Sally Nickerson. Several resolutions were passed at that meeting and "the war" was on.

The resolutions initiated more animosity. Due to an early and long winter and subsequent "high water," no more business was transacted until the meeting set for July 2, 1883, in Grand Lake. Weber left his ranch east of Hot Sulphur Springs (south of the Fraser River) early the morning of the July 2. He registered at the Fairview House, which was located close to the west outlet of Grand Lake, a short distance from the main part of the village. Leonard Pollard, who was supposed to be the county clerk, wisely made for the mountain mines, determined to "keep out of the way." Accompanied by Barney Day, Weber and Mills conducted their meeting in the presence of Charles Caswell, who acted as clerk in Pollard's absence.



Grand County Historical Association/Courtesy Patience Kemp

Edward Weber, Barney Day, and Thomas Dean took their last meal at the Fairview House hotel, located on the banks of Grand Lake.

During the course of the meeting, Weber and Day voted two to one against Mills to accept the resolutions of the meeting they had conducted on February 26, after being refused entrance to the courthouse. Mills and Caswell asked to be excused from the July 3 meeting, because they were involved as counsel in a divorce case. Weber and Day resolved to conduct routine business in Mills' absence and the meeting was adjourned.

Apparently, on July 3, Weber and Day met as planned, and their "routine" business included eight summonses addressed to eight of Mills' Grand Lake players, requiring their appearance before the board on July 5 regarding bond issues. Included on the list were Judge Allen B. Hoyt and Sheriff Charles Royer.

On the morning of July 4, Ed Weber, Barney Day, and Thomas Dean (who agreed to act as clerk) met for breakfast at the Fairview House, then left for the scheduled commissioners' meeting. The three headed toward the village on a path along the lake that wound between some boulders and the Fairview House icehouse.

A shot was fired and met its target in Weber, who dropped his papers and memoranda for the meeting. Day answered the shot with his revolver and felled Weber's rifle-bearing assassin. Day then wounded a second would-be assassin, before he was shot through the heart and landed face down at the lake's edge. Thomas "Cap" Dean fell with a bullet wound that broke the bridge of his nose, tracked through his skull, where it lodged at the base. Before he could return fire, he took another bullet in his right hip. His assailant approached and pistol-whipped him until he lay limp and near comatose. Shocked and injured, Dean roused himself after the ambush cleared and struggled to his feet. He saw Barney Day lying dead in the water, and watched Weber stagger and fall, trying to reach the safety of Fairview House.

Bystanders from Fairview House raced to the aid of the three fallen men. One witness saw three masked men mount horses and ride away. The rescuers carried Weber to the hotel. He had taken a rifle shot in his lungs and was hemorrhaging. Doctor H.F. Frisius, visiting from

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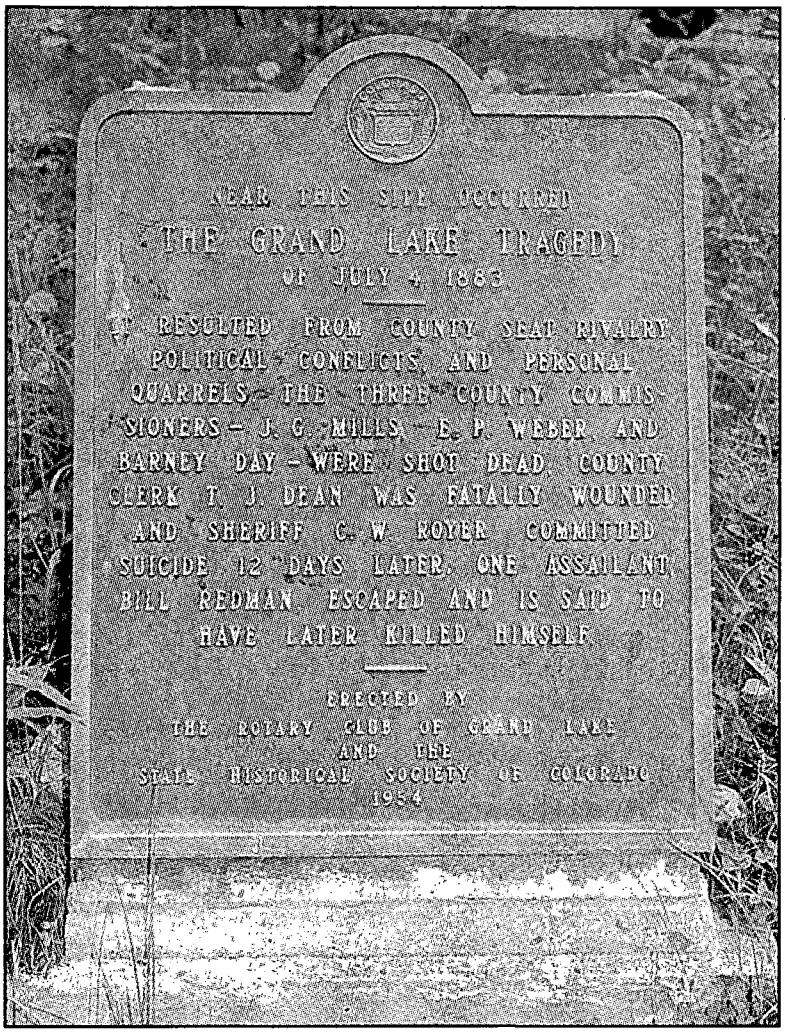

Author's Photo

The State Historical Society of Colorado erected this marker in 1954, indicating the site of the July 4, 1883, "Grand Lake Tragedy."

Teller City, tended the wounded men. Weber remained comatose until he died. Dean, though wounded and beaten, remained alert and gave a deposition at his bedside. Neither bullet could be extracted and the resultant infection killed him the night of July 17, thirteen days after the shooting.

The dead rifleman who had killed Weber was unmasked and identified as John Gillis Mills. Barney Day, who took a shot through the heart and was instantly killed, first managed to kill Mills and wound the assailant who is presumed to have been Under-Sheriff William Redman. Before fleeing, Redman shot and mortally wounded Thomas Dean, then beat the man with his revolver until he lost consciousness. Two remaining assailants were never found or convicted, but Redman's younger brother, Mannilus, was suspected, as was Sheriff Charlie Royer.

Not surprisingly, Royer's investigation of the ambush failed to produce any suspects. Under-Sheriff Redman disappeared and there is no record of Mann Redman's whereabouts. On the heels of public outrage and personal criticism, Royer left Grand County on July 15, headed for Georgetown, Colorado. Already harbored in Georgetown was Charles Hook, a newspaper reporter from Hot Sulphur Springs who had sided with Mills and his associates. Len Pollard escorted Royer to Georgetown, where the sheriff registered at the Ennis Hotel. The following afternoon, Royer's body was discovered on the floor of his room. A gunshot wound to the head and the large caliber revolver at his feet determined death by suicide. On his person were found an unsigned letter from Hook, warning Royer of personal danger, and the summons issued by Commissioner Weber on July 3.

A brother of William Redman stated that William had committed suicide in Encampment, Wyoming. The *North Park Miner* for August 23, 1883, however, printed information from Provo, Utah, that claimed the body of William Redman was identified by an Agent Minniss of the Ouray Indian Agency. Redman was reportedly found in the Blue Mountains near the agency. His name had been scrawled into the sand near his body and was also scratched into his saddle. It is reported that the man, believed to be Redman, spread his blankets where he would fall on them, then shot himself in the right temple. His large revolver was found nearby and upon his person was a sum of money, evidence that foul play or robbery was not a motive. The *Denver Tribune* asserted another theory, "All evidence attainable points to the fact that Redman is dead, and that he died from wounds inflicted on the fourth of July and not by his own hands."

The wives of the slain and accused found the area too small, even for them. According to statements made by a local, J.N. Pettingell , William Redman's wife left Grand County after her husband's disappearance. Mrs. Dora Mills remained at their home in Teller for one season, then left. Mrs. Sophronia Day experienced hardship as a widow, but remained in Grand County and gained the respect and admiration of her neighbors. Mrs. Althea Weber had her husband buried on their ranch, then promptly sold the property and moved out of the county, never to return. It seems Grand County was not big enough for the likes of men like Mills and Weber, much less the villages of Hot Sulphur Springs and Grand Lake.

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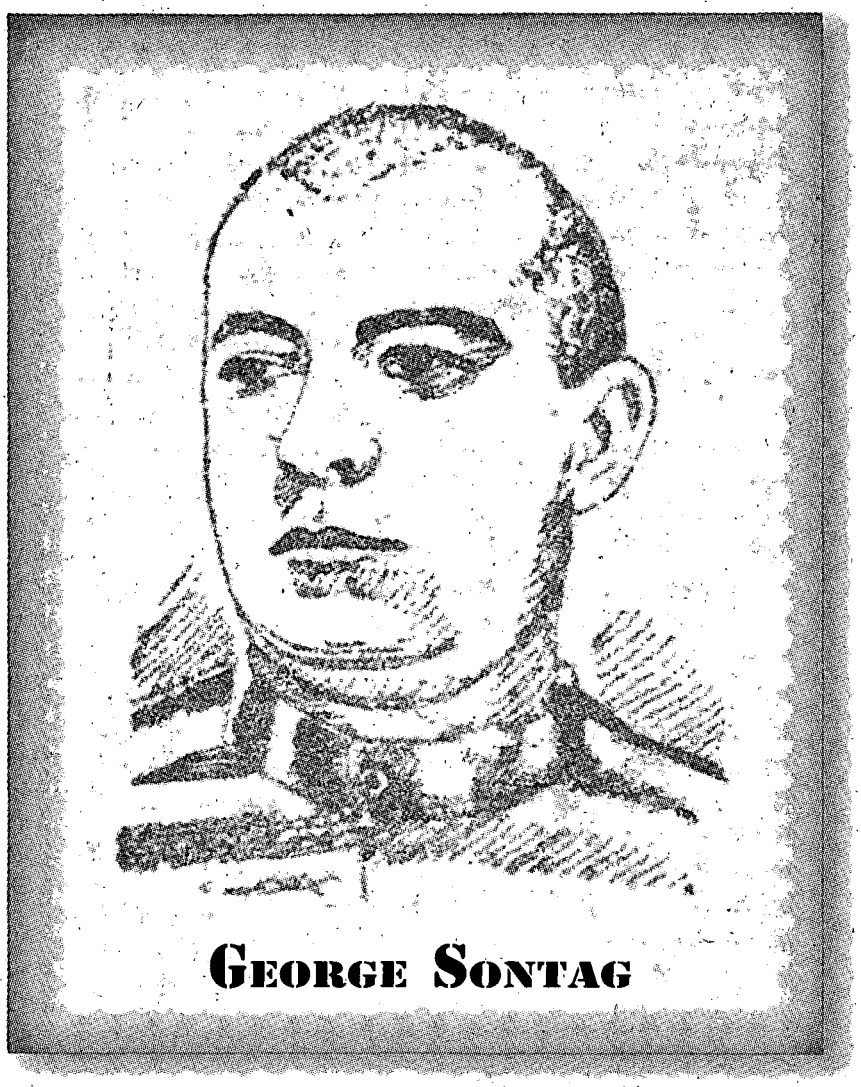
HOLDING THE LINE

By John Evans

All illustrations from the author's collection, unless noted.

The afternoon sun scorched the metal roof of the small shed which was Lieutenant Frank Briare's guard post. It felt so unbearable inside, he sat on a chair in front of it, watching convicts in the upper quarry break rocks. Much of California's Folsom Prison was built from the native stone, a primary consideration in choosing the location for the facility. Another factor was the proximity of the American River, which not only provided water for power, but a physical barrier as well. Before walls were built, armed guards formed the remainder of the prison confines, referred to as "the line."

Briare oversaw thirty-five convicts, including some of the worst characters in the prison. At the top of the pecking order was Frank Williams, a federal prisoner, serving a life sentence for mail robbery. Standing only five foot, five inches tall, his record of highway robbery was impressive; a dozen holdups inside of three months, with two in the same day, on the same road.



George Sontag

William "Buckshot" Smith, a taciturn German, was also serving a life sentence for robbery. He earned his nickname from an earlier escape attempt, and still carried some of the shot as a result. Other also prominent inmates included Charles Abbott, an English sailor doing life for murder; angular-faced Henry Wilson, twenty years for burglary; and Anthony Dalton, five years for burglary. These five kept regular company. There used to be another who identified with this group, a surly troublesome prisoner named William Fredericks, but he had been discharged.

Lieutenant Briare watched the gang come together, then disperse. His thick mustache glistening from perspiration, he felt the constant tension. He would always remember this day, Tuesday, June 27, 1893. Behind his guard post, a steam engine moved rail cars around the yard. Beyond the engine was the water barrel. Inmates could go there at will—some had already done so, but in this heat it was to be expected.

In another part of the prison compound George Sontag sweltered in the heat. He, too, was watching. Part of the notorious Evans-Sontag gang, still making headlines in southern California, George had been captured, tried for robbery, and sentenced to life imprisonment the previous fall. His earlier escape plans were frustrated after word leaked out that Chris Evans and John Sontag intended to free him. Warden Charlie Aull put him to work in the stone-cutting area, where he was under constant surveillance and hemmed in by the powerhouse and canal.

Sontag convinced himself, and others, that the guards were cowards. They would boldly shoot at unarmed prison-

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Anthony Dalton

Henry Wilson

William Fredericks

ers trying to escape, and had done so twice in the last three months. This time, however, things would be different. The prisoners would shoot back. Guns had been smuggled in, and Sontag fully expected the guards to cower in the face of armed resistance. Now the only problem was getting to the quarry.

Sontag's plan required outside assistance. He had written to Molly Evans, wife of Chris Evans, stating that a George Johnson would call and that he would like to meet "Mr. Ballard" and, probably, "Betsy." The letter was smuggled out of the prison by a preacher, who read it and said, "That seems all right, I don't see anything wrong about it." Ballard was Sontag's rifle, Betsy was his brother's gun, and Johnson was William Fredericks, a twenty-one-year-old ex-convict, who wanted to be a bad guy. Sontag, remembering his own youth, knew the feeling.

Back in 1876, authorities in Mankato, Minnesota, were warned that the Jessie James gang planned to rob the Citizen's Bank. The town was armed and waiting when eight well-mounted horsemen arrived, riding two abreast and wearing long linen dusters to conceal their weapons. James bought some whiskey, but sensing a trap, led the gang out of town. Later, when they tried to rob the bank at Northfield, Minnesota, a posse consisting of over five hundred citizens pursued them. George Contant and his brother John were among them. He never forgot the thrill. When the Contant brothers began their outlaw career, they adopted the name of their stepfather, Sontag.

Lieutenant Briare looked around to check security. He saw guards at their posts overlooking the sides of the quarry, and at the top of the hill covering the entrance, Joe Prigmore stood with a rifle and a Gatling gun. They had been alerted to watch for a major prison break that might be afoot; the warden feared that Fredericks would return and make trouble.

Warden Charlie Aull's appearance was misleading. His chest-length beard gave Briare the impression of a wise and benevolent grandfather, but the warden understood criminals. Knowing that force was the only thing they respected, he instituted corporal punishments: beatings with a cane; floggings with a leather strap; tricing (hanging by the thumbs); and derrick (hoisting by handcuffs behind the back). He had been a deputy sheriff, a Wells, Fargo agent, and at San Quentin, captain of the guards and head turnkey.

William Fredericks' association with Sontag, Williams, and the others, had not gone unnoticed. The boyish looks derived from his fair complexion and light colored hair added to the impression of hero worship for the older criminals. Lieutenant Briare knew that the warden had spoken to him about his "friends" and warned against any plans there might be for helping them escape.

While Fredericks vehemently denied any intention of returning, as soon as he reached Visalia on June 8, he visited Mrs. Evans. Eva Evans, the daughter, sent a letter to Sontag, via the preacher, stating that "Mr. Johnson" had arrived. Word was also sent to Chris Evans and John Sontag. They were en route to a meeting with Fredericks, when a posse intercepted them on June 12, about twenty miles from Visalia. The ensuing shoot-out left both outlaws wounded, and resulted in their capture.

The Sontag guns could provide a link to the Evans household, so Fredericks was discouraged from taking them. Needing cash, he attempted to rob a stagecoach and killed the Wells, Fargo agent. Then, resorting to burglary, he stole a brace-in-bit from a blacksmith shop, bored a hole through a saloon door, reached in and unlatched it. Taking guns, knives, and cash, he headed north.

On Sunday night, June 25, Fredericks slipped into Folsom, found his way to the quarry, hid the weapons, and slipped out.

Sontag learned from Williams on Monday that the guns had arrived. He decided they would make the

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break later that day. All afternoon he watched Wilson cross and re-cross the canal bridge waiting for his signal.

At 2:00 PM on Tuesday afternoon, Abbott, ostensibly to get some drills sharpened, headed towards the blacksmith shop. Passing a guard and remarking, "There'll be some hot work this afternoon," Sontag sauntered in his direction. Abbott made contact, slipped him a gun and whispered, "all is in readiness."

Lieutenant Briare watched Wilson leave his work at the quarry and cross the swinging bridge, then return. This happened several times.

It was 3:30 PM, Sontag watched and waited. When the guard looked away Sontag ducked behind an out-cropping and headed towards the canal. Now that he was armed, no one could stop him.

Gaining the bridge he crossed to the quarry.

Lieutenant Briare caught a glimpse of Sontag just seconds before he was seized from behind and disarmed, his own pistol placed to his head. He feared that the other guards would shoot as he recalled the warden's instructions, "...whenever you see the convicts attempting to make a break, I want you to stop them. Shoot no matter if they have me or any of the other prison officials in their custody. Be as careful as you can not to hit the free men, but shoot just the same whenever you get half a chance, for it is better that I or any of the other officials be killed than to have a lot of these desperate men running around the country, who will perhaps kill and outrage innocent people. We are paid to take such chances." Securely held and used as a shield, Briare was helpless as the prisoners violently pushed him across the quarry. Hidden behind a pile of rocks, the group armed themselves.

Sontag placed a large dirk knife in his belt. Then with a pistol in one hand, he grabbed Briare's left shoulder from behind. Smith gripped the waistband of Briare's trousers, all the while striking him about the hips and back with a drilling hammer. The other convicts clustered about. Wilson carried a pistol and held Briare's right arm; Dalton, also with a pistol, held his left. Williams and Abbott, each carrying a rifle, walked at the rear.

"If you don't release Briare immediately, I will shoot and shoot to kill," called out Prigmore. Smiling, Williams fired two shots that barely missed him, but struck his post. Prigmore ducked back.

Briare assessed his situation: the guards might accidentally shoot him, the convicts would undoubtedly kill him as soon as he was no longer needed. The only chance of escaping certain death, was to jump from the thirty-five-foot cliff near the top of the hill. Flinching as Smith continued to strike him, he angled towards the left along a path running thirty feet from the edge. Each step brought him closer to his goal...or his demise. He wondered if he could pull it off.

"Walk to the right," commanded Williams.

Continuing on towards the left, the guard replied, "Stay by me, and I will get you out all right."

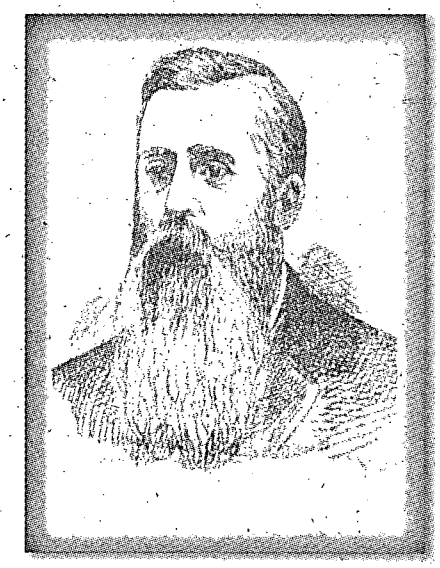
"You'll stay by me," said Williams as he fired a rifle ball over Briare's head. "Take that!" Wilson grabbed the guard by the collar.

Afraid that Prigmore would answer the shot, Briare called out, "Don't shoot." The path narrowed as they approached the cliff. There were rocks on either side. They could not get through the opening without changing position. It was his only chance. He had to make his move there.

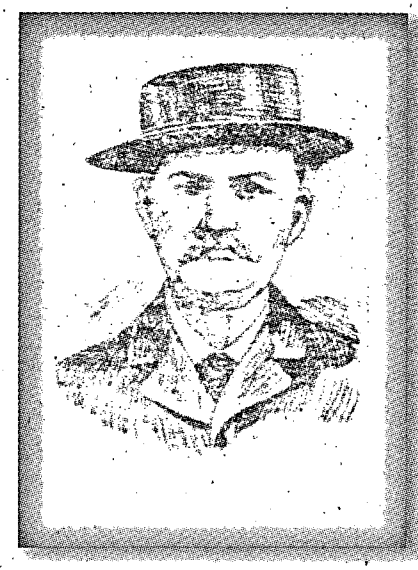
At the narrow part of the path, Sontag pushed Briare forward. Wilson tightened his grip on the collar and moved aside to let them pass, just as Prigmore fired. Wilson crumbled to the ground, ripping off Briare's collar and necktie.

Pulling Dalton with him, Briare pushed the others away and plunged backwards over the precipice, severing his shirt sleeve in the process. Smith, unable to free his hand from the guard's waist band, was carried along, rock ham-

Frank Williams



Warden C. Aull



John Sontag

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Western Publications' Archives

Chris Evans

mer and all.

Falling, bouncing, flying, bruising, fighting, bleeding all the way to the bottom, Smith jumped up and lunged like a madman. Rising just in time to block the convict's swing, Briare snatched the hammer away, and smashed the side of Smith's head. He lay still.

Gasping for breath, Briare discovered a nasty gash to his ankle. Determining that he was otherwise all right, he made his way to the armory, secured a rifle and ammunition, and joined the guards congregated on the hill near Prigmore's post.

When Briare went over the hill, Prigmore drove a bullet into Dalton's shaved head, dropping him in his tracks. The other guards also opened fire. Williams took deliberate aim at Prigmore, but before he could fire, another guard distracted him. When Prigmore looked up, he saw Williams exposed, presenting a perfect target. He fired and Williams fell dead.

Warden Aull, hearing the shots from his office, grabbed a rifle, then rode in a carriage to the hill behind Prigmore's post. The shooting now sounded like a full-fledged battle.

Sontag was pinned down in a hole behind a pile of boulders. Abbott was nearby, but the others were gone. Prigmore's post blocked their escape. He fired several shots from under a rock. Prigmore fired back.

Lieutenant Briare and the other guards fired at the convicts in this "cat and mouse" skirmish until Warden Aull arrived. Taking charge, he sent for the reserves and ordered the Gatling gun into operation. Prigmore fired a volley of perhaps one hundred rounds, blanketing the boulders and kicking up a cloud of dust.

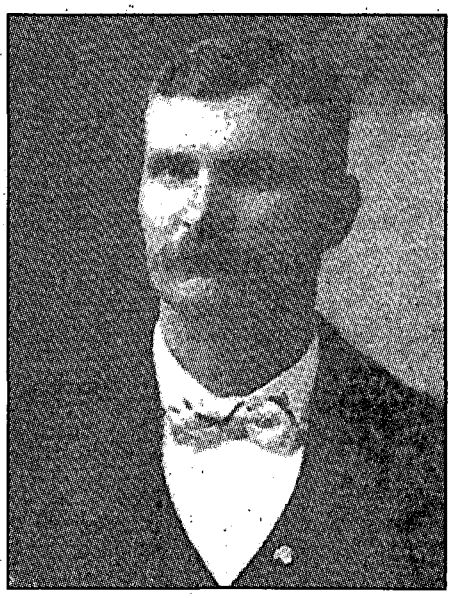
Sontag was hit—then again and again. There was no place to go; he was dead if he didn't do something quickly! He reached for a nearby hat.

Lieutenant Briare saw it first: a hat on a rifle, waving back and forth.

"Cease fire! Cease fire!" yelled the warden. Prigmore stopped.

Sontag watched Abbott hide a Smith & Wesson .38 under some rocks, covering it with dirt. Then he crawled out into the open, unable to stand with his kneecap nearly blown away and the bones badly splintered. He was hit in the thigh, shin, and groin area. A moment later, Abbot crawled out with a broken ankle, shot in the heel, thigh, and several other wounds about the face and body.

Very cautiously, Warden Aull, Lieutenant Briare, and several guards advanced towards the prisoners. In the hole lay three dead convicts, their bodies perforated by numerous gunshot wounds. Wilson died instantly, the bullet striking the top of his right shoulder and passing through his body. The fingers of his hand never relaxed and still clenched Briare's collar and necktie.



Joe Prigmore

Dalton's body had twenty-seven gunshot wounds. Williams was shot so cleanly in the heart that the bullet took the left nipple off. A pen knife in his pocket was also hit, becoming a piece of twisted, blackened metal.

Two convicts who had nothing to do with the break were also wounded. Joseph Duffy received a flesh wound in the leg, and Thomas Schell, age nineteen, was hit in the ribs, the shot penetrating both lungs. Buckshot Smith was stunned from the hammer blow, but recovered with only a small scar. No prisoners escaped, and while the guard posts were well shot up, no guards were hit.

Lieutenant Briare was indeed fortunate to be alive. The gunfight raged for almost an hour, but the line held.

EPILOGUE

George Sontag had learned the hard way that the guards were not cowards. In 1908, as payment for his testimony against Chris Evans, and for good behavior, he was pardoned.

William Fredericks was widely sought. He killed three more men before being captured on March 23, 1894. On the walls of his cell, he wrote a ten verse poem about the escape attempt. He was hanged at San Quentin on July 6, 1896.

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Reviews

THE TEXAS CONSTABLES

Texas Constables: A Frontier Heritage. By Allen G. Hatley. (Texas Tech University Press, Box 41037, Lubbock, TX 79409. Index, photos, notes, appendices, bibliography. 300 pages. $34.95 Cloth.)

The world seems to be full of books about outlaws, sheriffs, marshals, gunfighters, and so forth, but until now not much has been written about constables. Allen Hatley has corrected that oversight, and in the process done an excellent job.

The author begins in the beginning, which in this case is medieval England where the office of constable originated. From there Hatley traces his subject to the United States, meticulously following the trail as it meanders toward Texas. The father of Texas, Stephen F. Austin, divided his colony into several districts, each with a constable. The constable Texas now knows grew from that. Hatley thereafter splits his constable narrative in law enforcement prior to Texas independence, after Texas became a republic, and after Texas became a state.

After working his way through the Civil War and Reconstruction, Hatley concentrates on far west Texas, as well as the Texas panhandle, in particular placing much of his emphasis on El Paso, a village the author calls "The Meanest Town in Texas." The community probably merited that sobriquet during the arrival of the railroads in 1881, since for a year or so it repeatedly appointed lawmen, including constables, with monotonous regularity.

Hatley provides considerable space to the demise of gunfighter John Wesley Hardin by Constable John Selman in El Paso, an accomplishment making Selman one of the most noted Texas lawmen of his time. The author identifies Selman not only as one of the hardest working constables in the state, but also as a lawman who came to an unhappy end in El Paso via the six-shooter of United States Deputy Marshal George Scarborough.

Much of Hatley's narrative then moves to the Texas panhandle with its interesting and informative Billy the Kid/lawman clashes, as well as the activities of various constables and occasional Texas Rangers. The author tracks the constables from the early twentieth century to the present, including along the way a section he calls, "A Time for Killing." He also offers absorbing insight into constable practices outside of Texas, this final piece including interesting information on the Earp brothers.

Allen Hatley has written an outstanding history on a relatively new subject. Watch for this book. It may very well win some writing and research honors.—*Leon Metz, El Paso, Texas.*

West Coast Soldiering

Army Life on the Pacific. By Lawrence Kip. (Ye Galleon Press, Box 287, Fairfield, WA 99012. Index. 186 pages. $22.50 Cloth.)

Most accounts of our Indian Wars are written long after the fact by professors or other historians in the calm and safety of book-lined dens. Rare are first-hand accounts by participants, like this one. The narrative of Kip, a second lieutenant in the Third Artillery, is well-written; very interesting. It is in two parts, one on the 1855 peace pow-wow of Walla Walla and the other on the 1858 campaign that followed that treaty's abrogation by an alliance of tribes—the Spokanes, Coeur d'Alenes, and Yakimas. Kip and his cannoneers, pressed into service as infantrymen for a sixty-day expedition, marched on foot over 760 miles of Washington Territory.

Colonel George Wright's campaign was to revenge a defeat of Colonel Edward Steptoe near Spokane. Troops were brought from as far away as Fort Yuma. Wright set out with a mix of dragoons, infantry, artillerymen, Mexican muleteers, and Nez Percé Indian scouts. So overconfident were the Indians after beating Steptoe that they met the army in two pitched battles instead of using their customary guerrilla tactics of hit-and-run skirmishes. Although the Indians were brave enough and chose both battlefields of the war, Four Lakes and the Spokane Plain, Wright thrashed them badly.

The victory was not just because of the discipline and spirit of his troops. There were splendid attacks by his infantry and converted artillerymen and a (rare!) saber charge by two squadrons of the First Dragoons. A few rounds of howitzer fire also helped. But the "secret weapon" of the army was simply a rifle battalion. The Indians, with only old Hudson's Bay Company trade muskets to back up their bows and arrows and lances, were no match for soldiers armed with longer-range rifles. Wright did not have even one man killed in the entire campaign, including both battles, and only one man wounded. Many Indians were killed or wounded.

Wright is little-known because he died in a California shipwreck before he could build on his reputation in the Civil War. He was a skilled—and ruthless—Indian fighter. In addition to beating his enemies, he captured their entire

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remount herd of 900 horses. After picking out the best 200 animals, he shot the other 700 so that the Indians could not stampede and recover their horses later. (Colonel Ranald Mackenzie adopted the same measure, later, in his Palo Duro campaign in Texas.) Then, after taking the surrender of the Indians, Kip's commanding officer hanged a number of warriors accused of murder.

What a bargain is this book! A copy of the very rare 1859 original edition recently came on the market at $450.—*Richard H. Dillon, Mill Valley, California.*

Frontier Framer

William Henry Jackson: Framing the Frontier. By Douglas Waitley. (Mountain Press, 1301 South Third Street West, Missoula, MT 59806. Photographs, illustrations, bibliography, index. 217 pages. $22.00 Paper.)

In his day photographer and painter William Henry Jackson was a colorful combination of Ansel Adams, Matthew Brady, and Frederic Remington. He was also a man of firsts. His early, stunning photographs of the Colorado Rockies, Mesa Verde, Yosemite, the Tetons, and Yellowstone made an enduring mark upon the field of photography as well as the nation's history. And his first-ever photographs of Yellowstone's unforgettable majesty helped persuade Congress to preserve that area as America's first national park.

William Henry Jackson: Framing the Frontier by Douglas Waitley interweaves Jackson's own words from his diaries together with the author's skillful commentary on westward expansion, the exciting discoveries in the new American West and the development of photography as both a documentary and commercial enterprise keeping such pioneers as Jackson eating regularly.

Jackson began his career in 1864 after returning from service in the Union Army and soon accepted a job with a Burlington, Vermont, photographer. Ever fascinated with sketching and painting as a way to permanently capture the fleeting instant, he'd found his niche at the very early age of twenty-two. Then for the next seventy years he continued to seize those illusive moments on film and painted canvas.

He first hit the trail west as a neophyte bull-wacker in 1866 and some of his liveliest drawings of that period show his determined struggles with equally determined oxen to "get the show on the road." His paintings also depict the ongoing westward wagon trains and the wonderful scenery these passed.

But he'd been bitten by the photography bug and it wasn't long till he landed a position in 1867 with one of Omaha, Nebraska's, pioneer photographers. In those days Omaha was a sprawling boom-town and railroad center filled with railroad men and smartly dressed bankers and gamblers, and jam-packed with saloons, flop-houses, and sin palaces. An 1869 issue of the prim and proper *Harper's Magazine* went so far as to salute Omaha as a place:

> Where whiskey shops the livelong night
> Are vending out their poison juice:
> Where men are often pretty tight
> And women often pretty loose.

After a boring spell of immortalizing lodge groups, political clubs, visiting Indian chiefs, and the usual run of family portraits, Jackson had enough and gypsied along the expanding railroad likes shooting track towns, roustabouts, and the vast, haunting wide-openness sweeping in from all sides.

He got his first break with the talented Ferdinand Hayden's Government Geological Survey and from 1870 through 1878 photographed mountain gorges, hunters, Indians (peaceful at the moment), hard-rock miners, and the unbelievable grandeur of such lofty mountains as Pikes Peak and Jackson's favorite, the Mount of the Holy Cross.

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When Hayden made his monumental discovery of Arizona's Mesa Verde in 1875 Jackson was on hand to document the find with his heavy photographic equipment lugged along on mule back.

By the early 1880s Jackson's glory days as a Columbus with a camera was behind him and he willingly traded his tough, little mules for a railroad coach. Home-basing in Denver he was engaged by the Baltimore and Ohio railroad to cover its lavish exhibition at Chicago's 1892 Columbian Exposition. Following this he was off on a world tour sponsored, in part, by such moguls as Andrew Carnegie, Cornelius Vanderbilt, and George Westinghouse. Taking along the new hand-held cameras and a bale of dry roll film, Jackson shot the sights of London, Paris, North Africa, the Orient, and even Russia.

On his return Jackson produced one of the first globe-trotting travelogues, far in advance of such latter day travel stars as Richard Halliburton and Lowell Thomas.

Premier photographer of thousands of superb views, many included in this large, handsome volume, Jackson's favorites remained those shot under the ancient sunlight of a vanished time.

And they still remain the favorites of countless devotees of an Old West that was.—*Bill Garwood, Mechanicsburg, Pennsylvania.*

The Cowboy Element

Cochise County Cowboy War—A Cast of Characters.. By Roy B. Young. (Young & Sons Enterprises, Box 759, Apache, OK 73006. Index, bibliography, photos. Over 1,300 entries, encyclopedia style. $34.95 Cloth.)

For the reader with a thirst for all things Tombstone, this offering from Roy B. Young will be nectar from the gods. Young has painstakingly researched numerous books and primary resources to put together, for the first time, an encyclopedia of the characters involved in Tombstone's so-called Earp years. In addition to the lesser known individuals, Young has provided new information on many of Tombstone's main players. Frank Stilwell, the subject of an upcoming biography by Young, emerges as Frank C. (possibly Clinton) Stilwell, brother of the more famous Simpson E. "Comanche Jack" Stilwell. Elliot Larkin Ferguson, alias Pete Spence, is here along with the Earps, John Ringo, Curly Bill Brocius, and the Clantons. The sketches provide a concise source for both the armchair reader and historian alike.

Beyond the encyclopedia, Young has included a Tombstone business directory, brief description of many place names within Cochise County, and an excellent recollection of Tombstone by William N. Miller. Young also lists many of the the major works dealing with Tombstone. Taken all together, this is a scholarly book that offers something for everyone.

Young is obviously aware of the volatile and controversial nature of his subject. That he rises above it with a book of this level is the earmark of a true historian. It is true that there are some errors in the book, such as stating that John Ringo's father was killed near Liberty, Missouri—he was killed in Wyoming—but in the final analysis Young has made a highly valuable and very worthwhile contribution to the field of western history. This book is as clear and straightforward as it gets. It cannot be recommended too highly. Best clear a space on your shelf now.—*Dave Johnson, Zionsville, Indiana.*

Arizona Apache Terror

Apache Nightmare: The Battle at Cibecue Creek. By Charles Collins. (University of Oklahoma Press, 4100 28th Avenue NW, Norman, OK 73069. Index, photos, illustrations, notes, bibliography. $27.95 Cloth.)

The battle of Cibecue Creek took place in 1881, another bloody event in Arizona Territory's fearful history. The savage massacre was the result of misunderstanding and confusion, not unlike so many other events of that time. In *Apache Nightmare,* author Charles Collins writes with enthusiasm, while not taking sides.

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The battle is investigated thoroughly, beginning with a brief history of incidents leading up to the confrontation, the battle itself, and finally what happened to those involved.

In August 1881, Colonel Eugene Asa Carr, commander of Fort Apache, received orders from the department commander to "capture or kill a White Mountain Apache medicine man named Nock-ay-det-klinne." This Indian, also known as "Bobby-do-klinn," or simply Bobby, had been stirring up trouble among the Apaches, convincing many that he could bring Apaches back from the dead. The Indians were so intrigued by this "messiah" that they began listening to his teachings. Bobby lived peacefully for many years, but by the 1880s white civilians and military began to realize they had big trouble: Bobby insisted he really could raise Apache dead, but only *after* all the whites were out of the territory.

The medicine man's all-night dances, mysticism, and promises of reincarnation finally climaxed when two Apache chiefs killed one another during a *tizwin* drunk. When the grieving relatives of the dead men demanded that Bobby bring the chiefs back from the dead, they were informed they would first have to dance for forty days and forty nights. White homesteaders living in the region heard of this lunacy and asked the military to intervene. Colonel Carr was instructed to break up the dance, and what followed turned into tragedy.

In *Apache Nightmare,* Collins tells of the fate of Carr's command, how Bobby was ultimately brained with an axe, why Apache scouts turned traitors, and events leading to the arrest, trial and execution of some of the Apaches involved. Finally, Collins explores certain personalities from both sides, and offer reasons for their actions.

To a serious researcher or student of the Apache wars in Arizona, this book will be an important addition to their collection. Collins should be commended for this carefully detailed manuscript.—*Phyllis de la Garza, Willcox, Arizona.*

Frontier Images

The American Frontier: Pioneers, Settlers, and Cowboys, 1800-1899. By William C. Davis. (University of Oklahoma Press, 4100 28th Avenue NW, Norman, OK 73069. 256 pages. Index, 332 illustrations. $19.95 Paper.)

First published in England (Salamander Books, 1992), *The American Frontier* is now introduced to the American reader by the University of Oklahoma Press. William C. Davis, formerly the editor and publisher of *Civil War Times Illustrated* and the author of dozens of books on the Civil War, chronicles the broad history of the trans-Mississippi West from Lewis and Clark's first westward penetration to the Rough Riders' exodus for Cuba. It is a daunting task; the results are destined to both please and disappoint.

Photographs, particularly the approximately thirty color displays of articles held by the Buffalo Bill Historical Center in Cody, Wyoming, are the mainstay of the work, while Janos Marffy's maps greatly enhance the reader's perspective. Some of the historical photographs, such as the Ada, Oklahoma, death scene of Jim Miller, Joe Allan, Berry Burrell, and Jesse West, are incompletely captioned. Moreover, western portraiture would be well served if the Buffalo Bill Historical Center would purge their specious photograph of John Henry Holliday from the Vincent Mercaldo Collection.

With colorful narrative, Davis condenses the history of exploration, expansion, conflict, and settlement into a highly readable story. Unavoidably, brevity results in errors of omission. This reader was disappointed by Davis's failure to mention Commodore Robert Stockton, a crucial figure in California's post-Mexican War "Frontier Politics," and by Davis's one paragraph dismissal of the entire history of the frontier's advance into Alaska.

Some errors of fact might have been avoided by reliance upon

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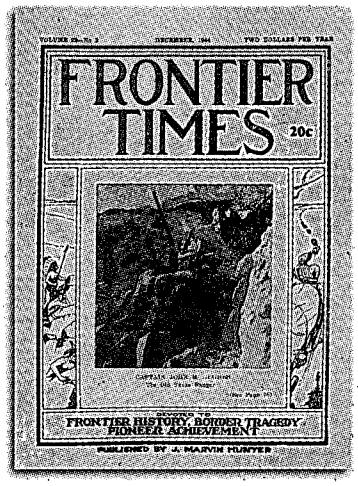

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more recent scholarship. Davis draws General Stephen Watts Kearny's dragoons into conflict with the Mexican cavalry at San Pasqual (not San Pascual). One could conclude that Kearny's force encountered Mexican regulars. They did not. Mexico maintained no regular army in California. *Californio* irregulars and their lances prevailed that day. Many readers will take exception to Davis's recounting of Wyatt Earp's exploits. Works such as Henry's *The Story of the Mexican War* (1950) and Water's *The Earp Brothers of Tombstone* (1960), have not stood the test of time. The work also would profit from a bibliography.

Still, *The American Frontier* should not be compared with Billington's *Westward Expansion* or Webb's *The Great Frontier*. It is a highly readable overview, in large format, and with outstanding photographs and maps. If there is a space on the coffee table, and the need for a quick reference or study, *The American Frontier* might well fill it.—*John D. Tanner, Jr., Fallbrook, California.*

A Winter Count

Indians of Idaho, Montana and Wyoming: A Winter Count. By Speaks Lightning (E.B. Eiselein). (Spirit Talk Press, Drawer B, Browning, MT 59417. Index, glossary, notes, bibliography. 150 pages. $14.00 Spiral-bound paper.)

Traditionally each winter, Plains Indian tribal elders would record the events of the past year. In addition to the tribal oral history records of stories and songs, the winter count would be preserved by means of a pictographic hide painting. "Winter count" is the title of a series of books by Speaks Lightning (also known as E.B. Eiselein) that attempts to chronicle "Indian history" from its remotest ancient past to the late-1900s.

Indians of Idaho, Montana and Wyoming is organized into three sections: an ethnographic introduction to the tribes and lifeways in the region, a timeline of Indian history, and a section giving data on the modern Indian peoples currently living in the region. Intertwined

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throughout the book is a very contemporary commentary in the spirit of the socio-political agenda of the Indian rights movement of the 1970s. Speaks Lightning wishes not only to inform, but to proselytize.

The majority of the book is an annotated timeline that begins with the archaelogically-questionable early date of 28,000 BC. Despite purporting to record the underreported pre-Columbian history of Indians in Montana, Idaho, and Wyoming, nearly all of the timeline deals with the American period of the nineteenth and twentieth centuries. The timeline is informative, however, and although both the data and the political content are at times arguable, Speaks Lightning's sources are thoroughly cited.

The ethnographic portion of the book is frustratingly short. In a brief eighteen pages the author attempts to describe traditional lifeways of Indian people from the plains, plateau, and Great Basin regions, as well as analyzing the region's native cultures based on language groups. Topics discussed range from warfare to spiritual beings, tribal names to hunting practices. Obviously this is an inadequate treatment of the region's Indian cultures, but the author's numerous citations entice the reader to pursue further research.

The final section of the book is perhaps the most useful. The author includes a complete listing of the current Indian tribes and reservations of Idaho, Montana, and Wyoming, and includes tribal addresses and phone numbers, as well as demographic information.

The book is a useful research tool for the culturally-curious tourist planning a trip to the northern Rocky Mountain states, but for serious historians, the book is most useful for its annotation and bibliography, which are quite good. Speaks Lightning is least effective when he deviates from informing the reader and instead restates well-established Indian grievances.—*John Sweet, Palmer Lake, Colorado.*

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Answer Man
By Chuck Parsons

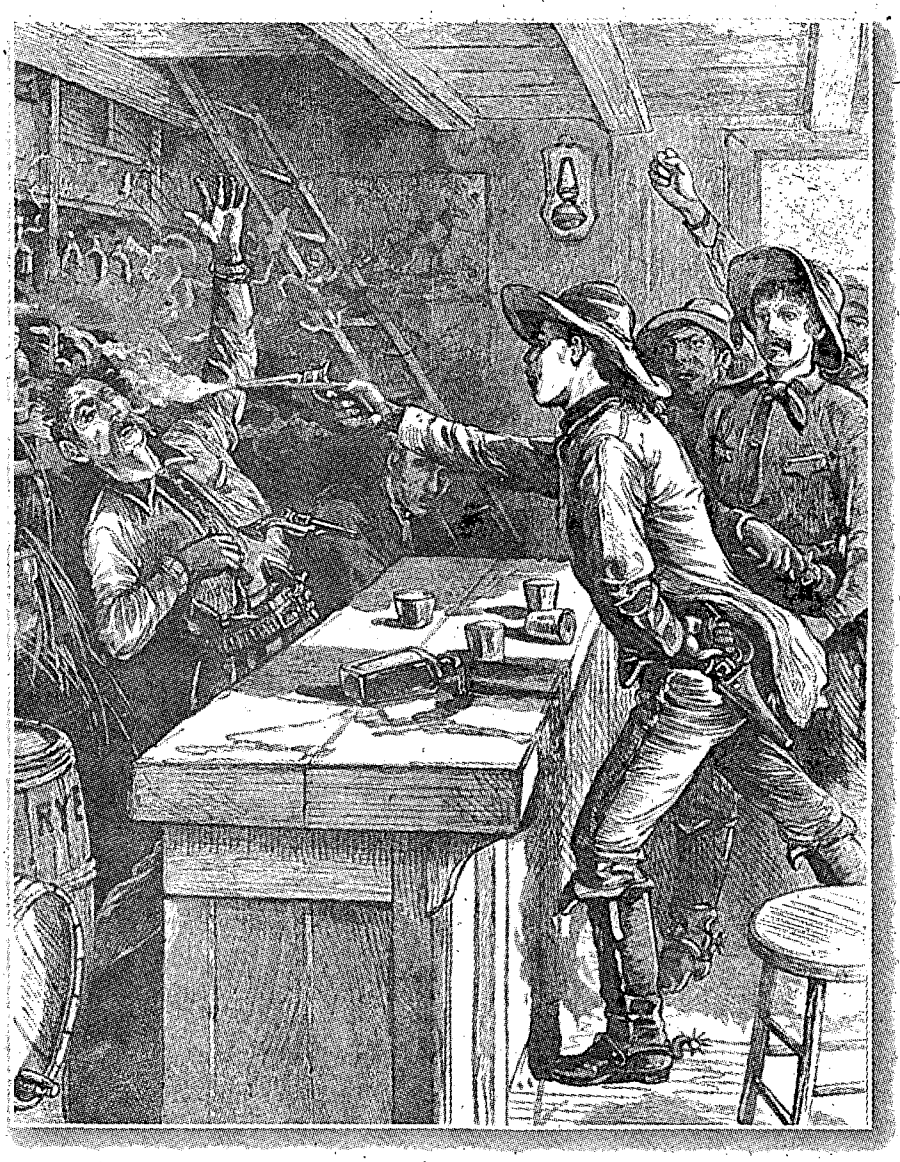
Billy the Kid & Joe Grant: A "Game of Two" at Fort Sumner

A somewhat unusual set of questions comes to us from longtime reader Vaughn M. Greene, of San Bruno, California. In spite of numerous claims to the contrary, Billy the Kid probably killed only four men in individual one-on-one confrontation. One of these men was Joe Grant, frequently considered a would-be glory hunter or bounty hunter.

Mr. Greene asks: Just who was Joe Grant? What was his background? Some accounts say he was a Texas cowboy, so what was he doing in Fort Sumner, New Mexico, and what happened to his horse? Mr. Greene is serious: "I'm not kidding. I don't think anyone has asked this before. A horse was a valuable commodity then, and required immediate attention.... And where is Grant buried?

All good questions. Frank Lloyd, a cowboy contemporary, told a Las Vegas *Optic* reporter that Grant, a cowboy from "Down in Texas," was in Fort Sumner for the express purpose of killing Billy the Kid. Lloyd was a witness to the shooting and told how he, Grant, and the Kid had been out target shooting. They all retired to Hargrove's Saloon for drinks. They were either drunk at the time of entering Hargrove's or else took on their blasts rather quickly, Joe becoming offensively drunk.

The Texan took a pistol from a Chisum cowboy named Jack Finan and gave Finan his own in return.



Author's Collection

This illustration, from the *National Police Gazette*, may have been an early attempt to depict the killing of Joe Grant. Notice Billy the Kid, depicted with *two* left hands.

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Finan of course allowed this, knowing Grant's reputation. Grant now wanted to bet that he would kill a man before the Kid would and would put up $25 on the wager. The Kid then took Finan's pistol from Grant, pretending to admire the weapon. Grant foolishly allowed the Kid to inspect the weapon, not noticing the young gunman revolve the cylinder so that the next shot fired would fall on an empty chamber, or shell.

Grant then decided that he was going to kill someone and picked out a man who he thought was John Chisum, but who was actually his brother, James Chisum. The Kid informed Grant that the man was not "Old John," to which Grant responded by calling Billy a liar. Grant then pulled the revolver intending to shoot the Kid. Pulling the trigger, Grant heard only a harmless "click" as the hammer fell on an empty shell. The Kid answered Grant's threat by calmly firing three shots into the Texas gunman. Billy later said the confrontation "was a game of two and I got there first."

Naturally, Grant had a horse and saddle, a gun rig, perhaps a Winchester, bottos, and no doubt some amount of hard cash. In all likelihood a Mexican laborer was hired to dig a grave and prepare the body for burial. The horse and other belongings were no doubt auctioned off. If there was any kind of coroner's investigation, the justice of the peace got a few dollars and the grave diggers got a dollar or so. The sale of the horse and guns would have easily paid for these. I don't think anyone spent much effort in trying to find Joe Grant's nearest relative. There is no stone to mark his grave, and there apparently were no mourners at his funeral.

Frederick Nolan, author of numerous books and articles on the Lincoln County War and Billy the Kid, informs us that he has seen no mention of an autopsy, burial, or disposal of Joe Grant or his possessions. Nolan does, however, offer this excerpt from a January 16, 1882, Las Vegas *Optic* article entitled

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"The Bivouac of the Dead":

Special Correspondent
of the *Optic.*

To the southwest of the abandoned and decaying Fort Sumner lies the graveyard, surrounded by what was once a good adobe wall, but from decay and neglect is now merely an outline, surrounding an acre of ground. We enter on the north, walking over the remains of the once handsome gate. To the left, in the northeast corner, are the graves of four rustlers—[Joe] Grant killed by Billy the Kid; [John] Ferris, killed by Barney Mason at the instance of the KId, and O'Fallion [Tom O'Folliard] and [Charlie] Bowdre, who were killed by Barney Mason [Pat Garrett] and posse. The graves are all unmarked, and that of Bowdre shows the scratching of some hungry coyote who seems to have been scared away before he reached his prey.

To the right of the entrance lies the grave of Billy the Kid, marked by a plain board, with the stenciled letters: "BILLY THE KID"....

The cemetery at Fort Sumner holds not only Billy and Grant's remains, but those of Lucien, Pete, and Paulita Maxwell.

Black Raiders?

Ms. M. Moore, of Los Angeles, California, recently came across an article that identified black men—or "free Negroes"—riding with William Clarke Quantrill. Ms. Moore has not been able to verify this, and it does sound strange that ex-slaves would ride with Quantrill, a ruthless Confederate guerrilla.

The men in question are John Lobb, John Noland, and Henry Wilson. There is a difference between "riding with Quantrill" and merely being with him during his guerrilla warfare. These men did *serve* Quantrill.

John Lobb was a former slave who became a spy for Quantrill, at least on one ocassion, going into Lawrence, Kansas, before the horrible raid of August 21, 1863.

John Noland was with Quantrill, but tended to the horses, acting as Quantrill's hostler. Nolan later attended the Quantrill reunions and died June 25, 1908, in Independence, Missouri. He had earned the respect of his white companions, and a few even served as pallbearers at his funeral. He remained spry and popular with the ex-guerillas. One described him as a "man among men."

Henry Wilson was born a slave to John Wilson and became Quantrill's bodyguard and cook after his former master went to Texas. He also attended the Raiders' reunions well into the twentieth century.

If you have a question, send it to Chuck Parsons, Western Publications, P.O. Box 2107, Stillwater, OK 74076. Please keep questions brief. Sign your full name and address, including zip code. Names will be published if question is used. Space limitations july not permit us to use all questions. Due to the volume of mail, we cannot forward correspondence to people whose questions appear in "Answer Man."

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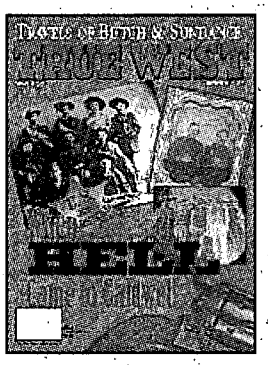

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Wild Old Days

The HAIRY HOWITZER

By Brad Prowse

The following story was derived from an article that appeared in the February 21, 1874, edition of the *Grass Valley Union,* a newspaper that has served California's Northern Mines area, about sixty miles northeast of Sacramento, since 1864. It appears to report an actual military experiment, not a hoax. The names of the principal officers were not given—undoubtedly to protect the guilty.

The place where this "experiment" took place isn't positively identified, beyond that it was a "western fort." Now, artillery was commonplace on the western frontier. There were artillery units stationed at different forts during the Indian Wars but, for the most part, they saw little duty in direct action against the tribes.

There were exceptions. During California's Modoc War of 1873 the lava pits where the Modocs fought from were bombarded by artillery. Cannon were used again against the Nez Percé in 1877, and Hotchkiss rapid-firing cannon helped in the massacre of men, women, and children—and, inadvertently, perhaps some soldiers—at Wounded Knee.

But artillery was a poor weapon against the Indians who fought from horseback, moving rapidly about the battlefield, seldom giving an artilleryman a decent target. By the time a battery had set up, the enemy was far away. So, one enterprising major at a western outpost got to thinking.

The army had at its disposal small mountain howitzers; designed to be broken down and packed by mules, the carriage and barrel reassembled as needed. Now, reasoned the officer, if a howitzer barrel were attached to a mule in a way that it could be fired right off the animal's back...deploying a cannon against the Indians would be much easier.

A howitzer barrel was strapped upon an ambulance mule, and with the muzzle facing off the animal's backside, the gun was loaded with a ball cartridge.

The major made his views known to the post commander, who—probably after considerable beard scratching—allowed the experiment to be conducted.

A howitzer barrel was strapped upon an ambulance mule, and with the muzzle facing off the animal's backside, the gun was loaded with a ball cartridge.

The soldiers led the animal out on a bluff, overlooking a target in the middle of the river. The rear of the mule was turned toward the tar-

IN THE JANUARY ISSUE OF *TRUE WEST*:

The Sporting Crowd at Old Fort Griffin. *By Robert K. DeArment.* A look back at the early gambling fraternity of Fort Griffin, Texas, including Doc Holliday, John Shanssey, Lottie Deno, and Big Nose Kate.

He Died Game. *By Harold L. Edwards.* Having been found guilty of murder and sentenced to death, Utah outlaw Patrick Coughlin decides his own method of execution. "I'll take lead."

Murder and Intrigue in the Chaco. *By John D. Tanner, Jr., and Karen Holliday Tanner.* Roberto Steward, alias George Musgrave, already linked to rustling, double-dealing, and murder throughout South America, adds the attempted assassination of an International Products Corporation official to his rumored deeds.

The Mysterious Highwayman. *By William B. Secrest.* A jovial, shotgun-toting young man makes short work of numerous California stagecoaches during the bitter Winter of 1889.

The Horse Queen of Idaho. *By Hank Corless.* Confident in her empire, built on horseflesh, Kitty Wilkins truly believes that "a good horse is always in demand and he will be the favorite long after the bicycle craze is forgotten."

LOOK FOR THE JANUARY 2000 *TRUE WEST* ON NEWSSTANDS DECEMBER 1, 1999.

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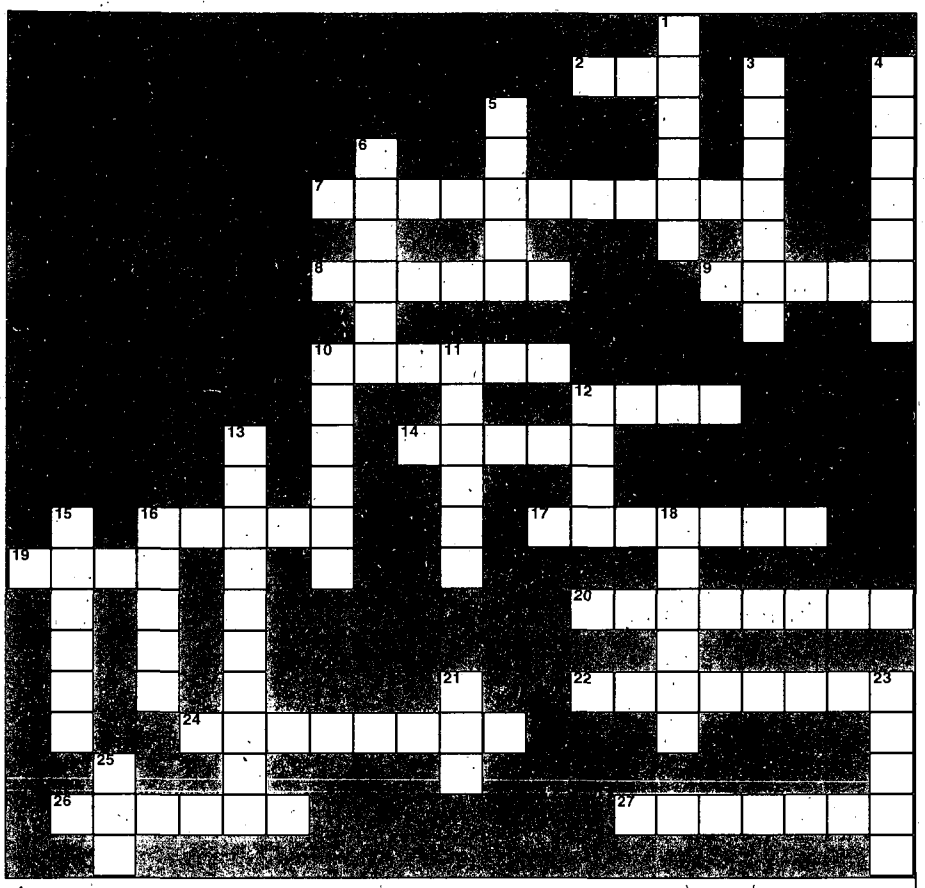
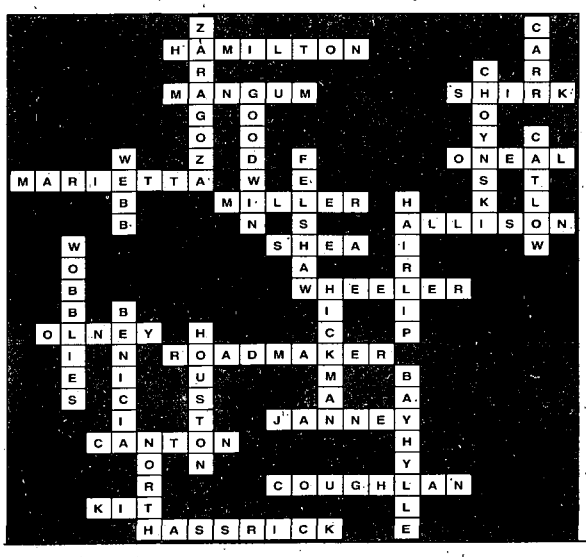


Across

2. Tilghman's widow
7. Killed Crazy Horse
8. Killed by Durham and Simpson
9. L.G. Murphy apprentice
10. Helena city marshal
12. Black Quantrill member
14. White Mtn. Apache medicine man
16. Billy's Fort Sumner opponent
17. Folsom escapee _____ Dalton
19. Folsom warden
20. Madison County sheriff
22. Lucky Hardin target
24. Fort Concho commander
26. Troubled Fort Stanton commander
27. TNT's Tilghman

Down

1. Grand County under-sheriff
3. Frontier photographer
4. Author of *J.B. "Billy" Mathews*
5. Killed by Townsend and Heartt
6. Message left with Con Murphy
10. Dee Braddock's given name
11. Folsom escapee ____ Sontag
12. Tilghman's killer
13. Tasunke Witko
15. Crafty Montana prisoner
16. Madison County deputy sheriff
18. Author of *Texas Constables*
21. Guard ___ Prigmore
23. William "Buckshot" _____
25. Braddock patriarch



Solution to last month's puzzle.

get, and he was backed gently up to the edge of the bluff. The officers stood around in a semicircle, while the major went up and inserted a time fuse in the touchhole of the howitzer. When the fuse was ready, the officer lighted it and retired.

Up until now, the mule had taken all this foolishness in fairly good graces. But now he was getting edgy. The unfamiliar weight of the cannon, the steep drop-off at his rear, and the hissing sound of the lighted fuse made him uneasy.

The mule reached his head around to ascertain what was going on, and as he did, his body turned and the howitzer began to sweep around the horizon.

The mule was getting excited and his curiosity grew more and more intense. In a second or two he was standing with his four legs in a bunch, making six revolutions a minute as he chased his tail. The muzzle of the howitzer began to threaten sudden death to every man within half a mile.

The post commander took refuge behind a nearby tree while the junior officers slid down the bluff into the river, disregarding any damage to their high-price uniforms. The adjutant ran for the fort, while the inventive major hit the ground with a loud groan.

In two minutes there was a puff of smoke and a dull thud as the mule somersaulted over the bluff. The poor animal landed in the water, anchored to the riverbed by the heavy howitzer. Meanwhile, the cannon ball rocketed toward the fort, hit the chimney in the major's quarters, rattled adobe bricks down into the parlor, and frightened the major's wife into convulsions.

The mule was rescued, and the officers dusted off the cannon and put it back into storage. No report of the results of the experiment was ever sent to the War Department. It just goes to show, over one hundred years have passed, and there are still an awful lot of jackasses in the government working outside of their job description.

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Cowboy Outfitters 6
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Dixie Gun Works 10
Dodge City Historical 8
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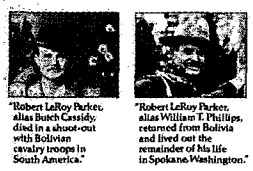
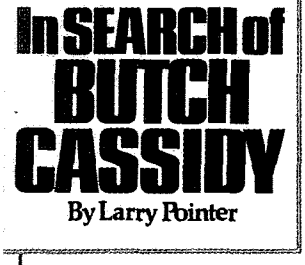
Outlaws & Lawmen



"Robert LeRoy Parker, alias Butch Cassidy, died in a shoot-out with Bolivian cavalry troops in South America."

"Robert LeRoy Parker, alias William T. Phillips, returned from Bolivia and lived out the remainder of his life in Spokane, Washington."



In Search of Butch Cassidy

By Larry Pointer

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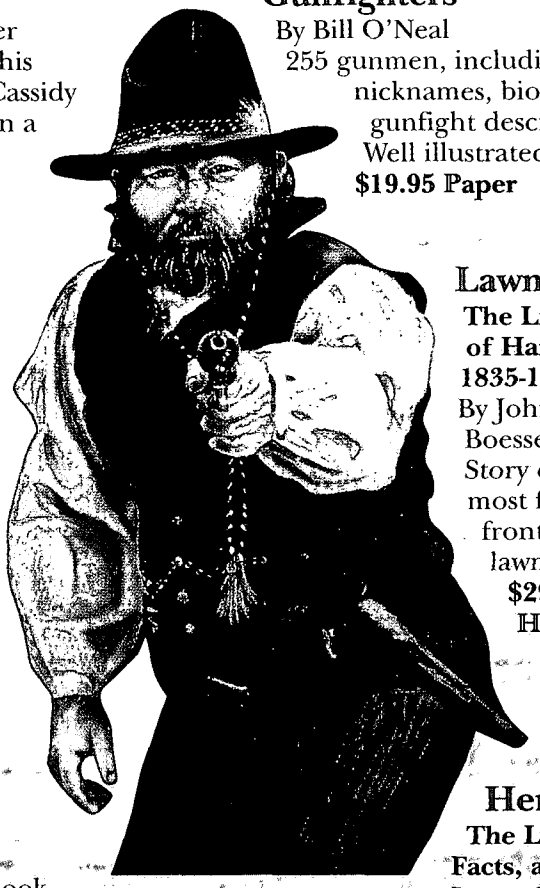

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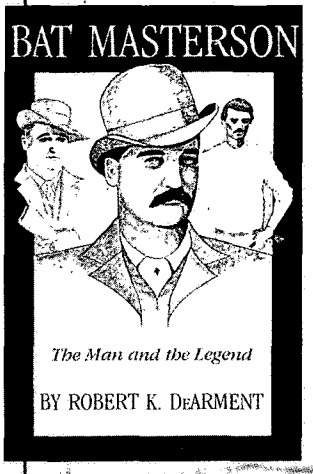

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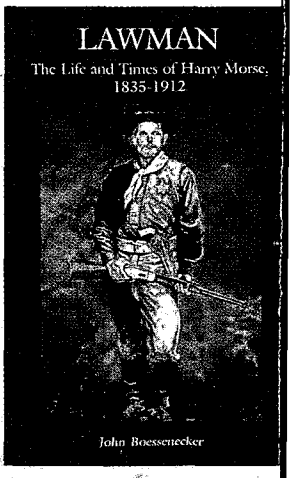

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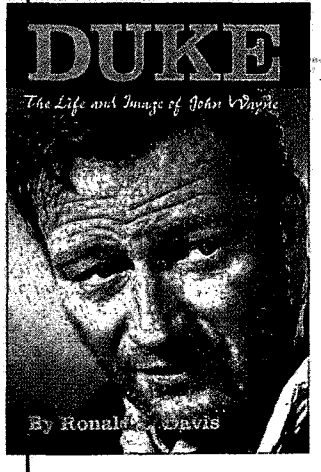

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